

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5544 of 2019

Arising Out of PS. Case No.-47 Year-2018 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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1. Judagi Singh Son of Late Ekwali Singh Resident of Village - Bajitpur, P.S.-
Ananat Kamtaul, P.S.- Kurhani, Distt - Muzaffarpur.
 2. Shivajee Singh Son of Late Dipali Singh Resident of Village - Bajitpur, P.S.-
Ananat Kamtaul, P.S.- Kurhani, Distt - Muzaffarpur.
 3. Kamlesh Singh Son of Late Dev Narayan Singh Resident of Village -
Bajitpur, P.S.- Ananat Kamtaul, P.S.- Kurhani, Distt - Muzaffarpur.
 4. Mohan Singh Son of Judagi Singh Resident of Village - Bajitpur, P.S.-
Ananat Kamtaul, P.S.- Kurhani, Distt - Muzaffarpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Alok Kumar Jha
For the informant	:	Mr. Jai Prakash Verma
For the Respondent/s	:	Mr.Usha Kumari I

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 06-01-2020 Heard learned counsel for the appellants and
learned Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the
SC/ST Act against the refusal of prayer for anticipatory bail vide
order dated 20.11.2019 passed by learned Special Judge, SC/ST
Act, Muzaffarpur in connection with Complaint Case No. 47 of
2018, registered under Sections 380 and 354 of the Indian Penal
Code and Section 3(i)(x) of the SC/ST Act.

Accusation is that complainant Ramdayal Paswan



was at his door in the evening of 01.04.2018, at that time, appellants along with Upendra Singh came there. Thereafter, Judagi Singh (Appellant No.1) started to abuse denoting his caste, when he made protest then all tried to cause assault, but he, anyhow, succeeded to flee away in the house. Thereafter, all entered in the house and caused assault through fist, slaps and lathi. When Lakhan Paswan, brother of complainant, and his wife rushed then they were also assaulted. At that time, Upendra Singh snatched wrist watch from the hand of his brother.

Learned counsel appearing on behalf of appellants submits that regarding the occurrence dated 01.04.2018, Compliant Case No. 47 of 2018 was filed on 03.04.2018. Further submission is that, while appellants are named in the compliant petition, but no specific overt act has been attributed against the appellants. The appellants have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named appellants, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special



Judge, SC/ST Act, Muzaffarpur in connection with Complaint
Case No. 47 of 2012, subject to the condition as laid down
under Section 438 (2) of the Cr.P.C.

Accordingly, the impugned order is set aside and
appeal is allowed.

(Rajendra Kumar Mishra, J)

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