

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.222 of 2020

Arising Out of PS. Case No.-16 Year-2019 Thana- TEGHRHA District- Begusarai

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1. Rajeev Sahni aged about 25 years, son of Naresh Sahni
 2. Sanjeeb Sahni@ Sanjeev Sahni@ Sanjeet Kumar aged about 20 years, son of Naresh Sahni
 3. Ranjan Sahni@ Ranjan Kumar aged about 18 years, son of Naresh Sahni
 4. Hakru Sahni aged about 55 years, son of Late Lakhi Sahni
 5. Ramraten Sahni aged about 69 years son of Late sukho Sahni

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sandip Kumar Gautam
For the Respondent/s : Mr. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

10 27-10-2021 Heard learned counsel for the appellants as well as learned counsel for respondent.

Being aggrieved vide order dated 26.11.2019 passed by the learned Special Judge, SC/ST (POA), Begusarai in A.B.A.No. 2071 of 2019, whereby the anticipatory bail petition of the petitioner was rejected. Hence, this appeal has been filed.

As per allegation on 11th January 2019 at About 3 p.m all the F.I.R named accused person including the present five appellants came to the house of the informant Vijay Kumar Paswan and all the accused persons abused the informant calling his castes name, when the informant opposed, Naresh Sahni ordered to assault whereupon appellant no. 1 Rajiv Sahni



assaulted with iron rod on his head with an intent to kill him.

The allegation against the appellant no. 2 is that he abused the informant with caste name and appellant no. 3 assaulted Runa Devi, the wife of informant, when the mother of the informant informant Bhola Devi came to save her they assaulted by legs and fists and appellant no. 4 and 5 also assaulted the mother of the informant.

Learned counsel for the appellants has submitted that there is previous enmity between both the parties. This case has been filed by the informant due to previous enmity. Learned counsel for the appellant has not been mentioned any counter case on behalf of appellant against the informant or his family members.

Although, the previous enmity has been mentioned by learned counsel for the petitioner but it has not been revealed whether there is land dispute is pending or not. Allegation against the appellants of abusing by taking his caste name and also badly assaulted the members of informant side including assaulted by iron rod blow on the head of the informant.

In the present case, Section 18 of the SC/ST Act clearly attracts as such the anticipatory bail petition is dismissed.



If the appellants surrender before the court below their regular bail petition will be heard on its own merit without being prejudiced by the order of this Court.

(Nawneet Kumar Pandey , J)

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