

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.231 of 2020**

Arising Out of PS. Case No.-65 Year-2019 Thana- HASPURA District- Aurangabad

Ranjit Kumar Son of Nagendra Singh Resident of Village - Jaitpur, P.S.-
Haspura, Distt - Aurangabad.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shailesh Kumar Singh, Adv.
For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

4 03-02-2021 Heard the learned counsel for the appellant and the
learned Spl. P.P. for the State.

This is an appeal under Section 14A (2) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 2016 against the order dated 07.01.2020 passed by the learned 1st Additional District and Sessions Judge cum Special Judge, SC/ST Act, Aurangabad in Anticipatory Bail Petition No. 17 of 2020 arising out of Haspura P.S. Case No. 65/19 for the offence punishable under Sections 341, 325, 504/34 of the Indian Penal Code and Sections 3(1) (r)/ 3(1) (s)/ 3(2) (Va) SC/ST Act whereby and whereunder the prayer of the appellant for grant of anticipatory bail has been refused.

The accused persons are alleged to have come on a bolero vehicle at the house of the informant and then they are



stated to have abused the informant by taking his caste name and had also assaulted the informant. As far as the appellant is concerned, he is stated to have arrived at the spot with a rod in his hand and he is alleged to have threatened him and then he is stated to have left the place.

The learned counsel for the appellant submits that the appellant is innocent, has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that there is no allegation against the appellant of having abused the informant by taking his caste name and it has been only alleged that he had arrived at the spot and threatened the informant. The learned counsel for the appellant has further submitted that no allegation of any sort of specific overt act has been levelled as far as the appellant is concerned.

Per contra, the learned Special P.P. for the State has vehemently opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also in the case diary, I find that *prima facie* no case is made out against the appellant herein and moreover, the appellant is having a clean antecedent, hence I deem it fit and



proper to admit the appellant to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender within a period of four weeks from today before the learned court below, the appellant above named shall be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned 1st Additional District & Sessions Judge cum Special Judge (SC/ST), Aurangabad in connection with Haspura P.S. Case No. 65 of 2019, subject to the condition as laid down under section 438(2) Cr. P.C.

Consequently, the impugned order dated 07.01.2020 passed in A.B.P. No. 17 of 2020 arising out of Haspura P.S. Case No. 65 of 2019 by the learned 1st Additional District and Sessions Judge cum Special Judge (SC/ST), Aurangabad is set aside.

The appeal stands allowed.

(Mohit Kumar Shah, J)

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