

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1296 of 2021

Arising Out of PS. Case No.-100 Year-2020 Thana- RASULPUR District- Saran

1. Dineshwar Singh@ Dinesh Singh Son Of Late Sudarshan Singh Resident Of Village - Chhotaki Ghaurapali, P.S.- Rasulpur, Distt.- Saran At Chapra.
2. Ajay Kumar Singh @ Bantu Singh Son Of Dineshwar Singh @ Dinesh Singh Resident Of Village - Chhotaki Ghaurapali, P.S.- Rasulpur, Distt.- Saran At Chapra.
3. Bitu Singh Son Of Vidhya Singh Resident Of Village - Chhotaki Ghaurapali, P.S.- Rasulpur, Distt.- Saran At Chapra.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Tej Pratap Singh- Advocate
For the Respondent/s : Mr. Binay Krishna- S.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 08-07-2021 Heard Mr. Tej Pratap Singh, the learned Advocate

for the appellants and Mr. Binay Krishna, the learned Special

Public Prosecutor for the State.

The learned Advocate for the appellants seeks

permission to withdraw the application with respect to

appellant no.1 who has been arrested.

The application with respect to appellant no.1 is

dismissed as having become infructuous.

The appellant nos.2 and 3 have challenged the

order dated 23.11.2020 passed by the learned 1st Additional

Sessions Judge-cum-Special Judge SC/ST (POA) Act, Saran



at Chapra in connection with Rasulpur P. S. Case No.100 of 2020, instituted for the offences under Sections 341, 323, 504, 379, 325/ 34 of the Indian Penal Code and Section 3(1) (r)(s) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby their prayer for grant of anticipatory bail has been rejected.

It is alleged in the F.I.R. that an occurrence took place on the issue of payment of previous dues.

The learned Advocate for the appellant nos.2 and 3 has submitted that the accusations are vague, general and omnibus and there is a counter-version of the occurrence as well.

Regard being had to the nature of the accusation and the submission that the offence under the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act is not made out from the facts of the case, the order dated 23.11.2020, referred to above, is set aside.

The appeal stands allowed.

The appellant nos.2 and 3, above named, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs.10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge, Saran at Chapra in connection with Rasulpur P. S. Case No.100 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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