

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1873 of 2021

Arising Out of PS. Case No.-5 Year-2020 Thana- SC/ST District- Patna

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ASHOK PANDIT S/O LAL KESHWAR PANDIT R/o village- Rama Chak,
P.S.- Masaurhi, District- Patna, at present renter and Private Secretary of co-
accused namely Bhim Pandit @ Bhim Kumar

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Ganesh Prasad Yadav, Advocate

For the Respondent/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-05-2021 Heard learned counsel for the appellant and learned
Spl. P.P. for the State through virtual mode.

Learned counsel for the appellant submits that the
limitation, as pointed out by the office, be condoned in the light
of the order dated 08.03.2021 passed by the Hon'ble Apex Court
in Suo Motu Writ Petition (Civil) No.3 of 2020.

Considering the submissions made on behalf of the
counsel for the appellant, the limitation, as pointed out by the
office, is condoned.

Counsel for the appellant is directed to remove the
defect(s), as pointed out by the office, within a period of four
weeks from the date of restoration of normalcy.

The matter relates to grant of anticipatory bail to the

appellant in connection with a case registered for the offences under Sections 147, 149, 420, 120(B), 504, 506 of the Indian Penal Code and Sections 3(1)(r)(s), 3(2)(va) of the SC/ST (Prevention of Atrocities) Act, 1989.

The prosecution case, in short is that the accused persons including the appellant forcefully tried to grab the land of the informant and they also threatened and abused her by taking her caste name.

It has been submitted on behalf of the appellant that the appellant has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the appellant. The appellant has falsely been implicated in the present case. The allegation of grabbing the land of the informant is denied by the appellant. The alleged occurrence has not taken place within public view. Hence no offence under the SC/ST Act is attracted in the present case.

On behalf of the State, it is submitted that the appellant is named in the F.I.R.

In view of the aforesaid facts and circumstances, the order dated 19.06.2020, passed by the learned Special Judge, SC/ST Act, Patna vide A.B.P. No. 2594 of 2020 in connection with SC/ST P.S. Case No.05 of 2020, is set aside. The criminal

appeal is allowed.

Let the appellant, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Special Judge, SC/ST Act, Patna in connection with SC/ST P.S. Case No.05 of 2020.

Once the normalcy is restored, the appellant shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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