

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1914 of 2021

Arising Out of PS. Case No.-32 Year-2020 Thana- SC/ST District- Rohtas

Arbind Dubey Son Of Deo Muni Dubey R/O Village- Kathdihari, P.S.-
Sasaram (M), District- Rohtas.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Choubey Jawahar
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-11-2021 Heard learned counsel for the appellant and

learned APP for the State.

Learned counsel for the appellant is expected to

honour his undertaking given in the instant case for

depositing the requisite court fee and to remove the

defects as pointed out by the office when called upon to

do so by the office.

The appellant has challenged the order dated

15.01.2021 passed by the learned 1st Additional District
& Sessions Judge-cum-Special Judge, Rohtas at

Sasaram in connection with SC/ST Dehri P.S. Case No.

32 of 2020 instituted for the offences under Sections



147, 148, 149, 341, 323, 307, 379, 504, 506 of the Indian Penal Code and Section 3(1)(r)(s) of the SC & ST (Prevention of Atrocities) Act, 1989, whereby the prayer for being released on anticipatory bail has been rejected.

Learned counsel for the appellant submits that the allegation against the appellant is omnibus and general and the injuries have been found to be simple in nature as gets reflected from the impugned order of the learned Court below. Moreover, the occurrence has not been committed in public view, hence the provisions of the SC/ST Act shall not be attracted. A statement has been made in para 3 of the petition that appellant has no criminal antecedent.

Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 15.01.2021. The appeal is hereby allowed.

The appellant, above named is directed to be released on bail in the event of his arrest or surrender within a period of four weeks from today and on his



furnishing bail bonds of Rs. 10,000/-(ten thousand)
each with two sureties of the like amount each to the
satisfaction of learned 1st Additional District & Sessions
Judge-cum-Special Judge, Rohtas at Sasaram in
connection with SC/ST Dehri P.S. Case No. 32 of 2020.

(Sunil Kumar Panwar, J)

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