

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.988 of 2020

Arising Out of PS. Case No.-32 Year-2020 Thana- SAHPUR District- Patna

1. GOPAL KUMAR @ GOPAL YADAV son of Bhola Rai @ Bhola Prasad Yadav Resident of Village - Mathiyapur, Police Station - Shahpur, District - Patna.
2. Arun Kumar @ Arun Singh Son of Manohar Singh @ Monhar Singh Resident of Village - Mathiyapur, Police Station - Shahpur, District - Patna.
3. Ashish Kumar Son of Jhari Prasad @ Hazari prasad Resident of Village - Mathiyapur, Police Station - Shahpur, District - Patna.
4. Deepu Kumar @ Deepak Kumar Son of Mahendra Singh Resident of Village - Mathiyapur, Police Station - Shahpur, District - Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Dr. Manoj Kumar
For the Respondent/s	:	Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-02-2021 Heard learned counsel for the appellants and learned APP for the State.

The matter relates to grant of anticipatory bail to the appellants in connection with a case registered for the offences under Sections 435, 504, 506/34 of the Indian Penal Code and Sections 3(i)(r)(s) of the SC/ST (Prevention of Atrocities) Act, 1989.

The prosecution case, in short is that the informant came to know that her car has been set on fire and when she came to the P.O., the appellants abused her by taking her caste



name.

It has been submitted on behalf of the appellants that the appellants have got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the appellants. The appellants have falsely been implicated in the present case. General and omnibus allegation has been made. No specific overt act is alleged against the appellants. 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 appellants are named in the F.I.R.

In view of the aforesaid facts and circumstances, the order dated 03.02.2020, passed by the learned Additional District Judge VIII-cum-Special Judge, SC/ST Act, Patna vide A.B.P. No.822 of 2020 in connection with Shahpur P.S. case No.32 of 2020, is set aside. The criminal appeal is allowed.

Accordingly, the appellants, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned



Additional District Judge VIII-cum-Special Judge, SC/ST Act,
Patna in connection with Shahpur P.S. case No.32 of 2020.

(Sudhir Singh, J)

Narendra/-

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