

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1048 of 2020

Arising Out of PS. Case No.-170 Year-2019 Thana- SARAI District- Vaishali

SATISH KUMAR SINGH S/o Late Satyendra Narayan Singh R/o Mohalla-
Shambhupur Koari, P.S.- Sarai, District- Vaishali

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Daya Shankar Prasad Sinha
For the Respondent/s : Mrs.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-02-2021 Learned counsel for the appellant is directed to remove the defects, as pointed out by the Office, within a period of four weeks.

Heard learned counsel for the appellant and learned counsel for the State.

The appellant has challenged the order dated 03.02.2020 passed by learned Additional Sessions Judge -Ist -cum- Special Judge, Hajipur, Vaishali in ABP No. 286 of 2020 in connection with Sarai P.S. Case No. 170/19 registered for the offences under sections 323, 354, 504, 506, 34 of the Indian Penal Code and 3(i)(x), 3(i)(d), 3(i)(E) of SC/ST Act whereby the prayer made on behalf of the appellants for grant of anticipatory bail has been rejected.

Prosecution allegation, in short, is that the accused



persons abused by taking her caste name and tried to outrage the modesty of the informant.

It has been submitted on behalf of the appellant that the appellant has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the appellant. The appellant has falsely been implicated in the present case due to previous enmity. No specific overt act is alleged against the appellant. There is a case and counter case between the parties. No occurrence is said to have taken place within public view. Hence, no offence under SC/ST Act is made out in the present case.

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

Considering the aforesaid facts and circumstances, this Court is inclined to set aside the order dated 03.02.2020 passed by learned Additional Sessions Judge -Ist -cum- Special Judge, Hajipur, Vaishali in ABP No. 286 of 2020 in connection with Sarai P.S. Case No. 170/19 by which the anticipatory bail of the appellant was rejected.

Let the appellant 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 Sessions Judge -Ist -cum- Special Judge, Hajipur, Vaishali in connection with Sarai P.S. Case No. 170/19.

The appeal stands allowed.

(Sudhir Singh, J)

Pankaj/-

U		T	
---	--	---	--

