

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1113 of 2020

Arising Out of PS. Case No.-17 Year-2020 Thana- RAJAPAKAR District- Vaishali

RUDAL SINGH Son of Late Ballabh Singh Resident of Village - Rajapakar
Jahingara, P.S.- Rajapakar, Distt - Vaishali.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Girish Chandra Jha
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-02-2021 Heard the parties.

Learned counsel for the appellant is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The matter relates to grant of anticipatory bail to the appellant in connection with Rajapakar P.S. Case No. 17 of 2020 registered for the offences under Sections 341, 323, 354, 504, 506 of the Indian Penal Code and Sections 3(i)(r)(s) of the SC/ST Act.

Allegedly, while the informant was cutting grass in an open field (Parti land), the appellant came there. It is further alleged that the appellant started abusing and assaulting her. On protest, the appellant called her caste name.



It has been submitted on behalf of the appellant that there is no allegation of tampering of witnesses alleged against the appellant. The appellant has falsely been implicated in the present case. For a petty reason, free fight is alleged to have taken place between the parties. No deadly weapon is said to have been used in course of the occurrence. The alleged occurrence has not taken place within the public view. Hence, no offence under the provisions of SC/ST Act is attracted in the present case.

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

In view of the aforesaid facts and circumstances, the order dated 13-02-2020 passed by learned Additional District & Sessions Judge-Ist-cum-Special Judge, Vaishali at Hajipur in Rajapakar P.S. Case No. 17 of 2020 is set aside. The present Criminal Appeal is *allowed*.

Accordingly, let the appellant, above named, in the event of arrest or surrender before the learned court below within a period of eight 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 & Sessions Judge-Ist-



cum-Special Judge, Vaishali at Hajipur in connection with
Rajapakar P.S. Case No. 17 of 2020.

(Sudhir Singh, J)

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