

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2617 of 2021

Arising Out of PS. Case No.-333 Year-2020 Thana- CHAPRA TOWN District- Saran

SUDHANSHU KUMAR @ SUDHANSHU PRATAP SINGH @
SUDHANSHU KUMAR SINGH Son of Munna Singh @ Ranjeet Kumar
Singh Resident of Village - Purvi Dahiyawan, Behind Mission Compound
Church, P.S.- Chapra Town, Distt.- Saran.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ankur Prakash Sinha, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-09-2021 Heard learned counsel for the appellant and learned
Spl. P.P. for the State through virtual mode.

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 341, 323, 504, 34 of the Indian Penal Code and
Sections 3(i)(r) of the SC/ST (Prevention of Atrocities) Act,
1989.

The prosecution case, in short, is that the on
12.06.2020, the niece of the informant had gone with her dog
for walk, then the appellant assaulted the niece of the informant



and when the informant went at the door of the appellant for complaint, then the appellant called his friends and they also assaulted the informant and abused him by taking his 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. No weapon is used in course of occurrence. It is a case and counter case between the parties. Annexure 2 is the counter case. 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 17.12.2020, passed by the learned Additional Sessions Judge 1st-cum-Special Judge, SC/ST (POA) Act, Saran at Chapra vide A.B.P. No.2183 of 2020 in connection with Chapra Town P.S. case No.333 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 Additional Sessions Judge 1st-cum-Special Judge, SC/ST (POA) Act, Saran at Chapra in connection with Chapra Town P.S. case No.333 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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