

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2532 of 2021**

Arising Out of PS. Case No.-272 Year-2020 Thana- BAKHTIYARPUR District- Patna

Meghan Kumar Son Of Ram Pravesh Ray Resident Of Village - Ramnagar
Chhabis Tola, P.S.- Bakhtiyarpur, District - Patna

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ajay Kr Singh No.1- Advocate
For the Respondent/s : Ms. Usha Kumari-1-S.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 16-07-2021 Heard Mr. Ajay Kumar Singh No.1, the learned

Advocate for the appellant and Ms. Usha Kumari-1, the

learned Special Public Prosecutor for the State.

The appellants have challenged the order dated 08.02.2021 passed by the learned A.D.J.-III-cum-Special Judge, SC/ST, Patna in connection with Bakhtiyarpur P. S. Case No.272 of 2020, instituted for the offences under Sections 341, 323, 324, 307, 34 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(2)(v) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby their prayer for grant of anticipatory bail has been rejected.

It is alleged in the F.I.R. that the informant and



others were stopped from dancing while taking out of a procession for immersion of the idol of Sun God after *Chhath* festival. One Manish Rai is said to have fired upon the informant.

The learned Advocate for the appellant has submitted that though he has been named in the F.I.R. but there is no specific accusation against him.

From the injury report also, it would appear that the allegations are absolutely false. The background facts do not indicate that the case involves the application of SC/ST (P.O.A.) Act.

For the reasons afore-stated, the order dated 08.02.2021, referred to above, is set-aside so far as the appellant is concerned.

The appeal stands allowed.

The appellant, above-named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Triloki Dubey, learned A.D.J. III-



cum-Special Judge, SC/ST, Patna in connection with
Bakhtiyarpur P. S. Case No.272 of 2020, subject to the
conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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