

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2834 of 2021

Arising Out of PS. Case No.-94 Year-2020 Thana- BUDDHACOLONY District- Patna

1. POONA DEVI Wife of Late Anil Kumar Resident of Budha Colony, East Gali, P.S.- Budha Colony, District- Patna.
2. Anshu Kumar Son of Late Anil Kumar Resident of Budha Colony, East Gali, P.S.- Budha Colony, District- Patna.
3. Sammi Kumar Son of Late Anil Kumar Resident of Budha Colony, East Gali, P.S.- Budha Colony, District- Patna.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ajay Kumar Jha
For the Respondent/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-11-2021 Heard learned counsel for the appellants and the learned Spl. P.P. for the State.

This appeal, under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, is filed against the order dated 20.06.2020 passed in ABP No. 3254 of 2020, whereby and whereunder the learned A.D.J., - VIII cum Special Judge, rejected the prayer of pre-arrest bail of the appellant in connection with Budha Colony P.S. Case No. 94 of 2020 registered under Sections 341, 323, 325, 354m, 448m, 337 and 504/34 of the Indian Penal Code and Sections 3(i) (r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



Learned counsel for the appellants submits that the appellants have falsely been implicated in connection with the present case due to ill motive. It is further submitted that there is general and omnibus allegation levelled against the appellants. It is further submitted that no case is made out under the provisions of the SC/ST Act as there is no specific allegation of abusing and humiliated to the informant and his wife taking their caste name.

Having considered the facts and circumstances of the case, the impugned order dated 20.06.2020 is set aside and this appeal is allowed.

Let the appellants, above named, be released on bail, in the event of his/their arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J., VIII cum Special Judge, SC/ST Act, Patna in connection with Budha Colony P.S. Case No. 94 of 2020.

(Sunil Kumar Panwar, J)

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