

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2158 of 2020

Arising Out of PS. Case No.-388 Year-2018 Thana- GORAUL District- Vaishali

ANARJIT RAI, aged about 35 years (Male), son of late Lakhindra Rai,
Resident of Village - Sherpur Lalal, P.S.- Goraul (Katahara, O.P.), District -
Vaishali.

... .. Appellant

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sunil Prasad, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 26-02-2021 Heard learned counsel for the appellant and learned
Spl.P.P. for the State.

This is an appeal under Section 14-A(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST
Act”) against the order dated 03.04.2019 passed by learned 1st
Additional Sessions Judge-cum-Special Judge, Hajipur,
Vaishali, in connection with Goraul (Katahara O.P.) P.S. Case
No.388 of 2018, registered for the offence under Sections 147,
148, 149, 333, 337, 353, 307, 379, 504 and 506 of the Indian
Penal Code and under Sections 3(i)(r)(s) and 3(2)(v) of the
SC/ST Act, by which the Court below has rejected the prayer for
anticipatory bail of the appellant.



The Police received an information that a boy carries a calf has been confined by the villagers. On that basis of said information, when the Police party went to the place to recover the boy, 30-40 persons came there and slated the police personnel in the name of their caste and also assaulted them.

Learned counsel for the appellant submits that the allegations are general and omnibus and no specific allegation has been made against this appellant. He further submits that the petitioner has no criminal antecedent.

Looking to the aforesaid facts, let the appellant, above named, in the event of his arrest or surrender before the Court below within a period of six weeks from today, be released on bail, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional District and Sessions Judge-cum-Special Judge, Hajipur, Vaishali, in connection with Goraul (Katahara O.P.) P.S. Case No.388 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. This is also subject to further conditions that (i) one of the bailors shall be a close relative of the appellant (ii) if the appellant is found involved, in future, in similar type of case, the prosecution will be at liberty to make prayer for cancellation of



bail of the appellant and (iii) the appellant shall fully cooperate with the investigation/trial of the case, failing which, the Court below shall be at liberty to cancel the bail bonds of the appellant.

Accordingly, the impugned order dated 03.04.2019 is set aside. Consequently, this appeal stands allowed.

(Shivaji Pandey, J)

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