

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1983 of 2020

Arising Out of PS. Case No.-15 Year-2018 Thana- SC/ST District- Vaishali

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1. CHANDRA SHEKHAR PANDIT Son of Madan Pandit Resident of Village - Panapur Langa (Godam Pokhar), P.S.- Hajipur Sadar, Dist.- Vaishali.
 2. Harendra Pandit Son of Ramchandra Pandit Resident of Village - Panapur Langa (Godam Pokhar), P.S.- Hajipur Sadar, Dist.- Vaishali.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rajesh Kumar

For the Respondent/s : Mr. Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-01-2021 Heard learned counsel for the appellants and learned
Special P.P. for the State.

The present appeal has been filed against the order dated 09.01.2020 passed by learned Additional Sessions Judge 1st cum Special Judge, Vaishali at Hajipur in connection with SC/ST P.S. Case No. 15/2018 registered for the offences punishable under Sections 147/148/149/341/323/427/504/354 of the Indian Penal Code and Sections 3(I)(r)(s)(I)(S),3(2)(va) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellants was rejected.

As per the prosecution case, on the alleged date and



time of occurrence, while the informant was cooking food these appellants along with 20 unknown persons entered into her hut, abused and assaulted her and also tried to outrage her modesty.

It is submitted on behalf of the appellants that the appellants have been falsely implicated in this case because appellant No. 1 is Surpanch of the Panchayat and he has made a complaint about the encroachment of Pokhar by the informant. It is further submitted that no one has sustained injury in the alleged occurrence. Appellants have got clean antecedents.

However, learned Spl. P.P. for the State opposed the bail application and submitted that there is specific allegation of assault by *Hasua* as a result of which the informant sustained injury in her hand and the occurrence took place in full public view.

Considering the aforesaid facts and circumstances and the nature of allegation, I am not inclined to grant bail to these petitioners. It is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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