

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3567 of 2021**

Arising Out of PS. Case No.-36 Year-2019 Thana- SINGHIYA District- Samastipur

RANVIJAY PRASAD @ VIJAY SAHU Son of Guneshwar Prasad @
Guneshwar Sahu Resident of Village - Mahra, P.S.- Singhiya, District -
Samastipur

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Ms.Aprajita

For the Respondent/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER**

3 08-10-2021 Heard the learned counsel for the appellant and

the learned Special Public Prosecutor for the State.

This appeal is directed against the order dated

16.07.2021 passed by the learned 1st Additional Sessions
Judge, Samastipur in A.B.P. No 1290 of 2021 arising out of
Singhiya P.S. Case No. 36/19, whereby the prayer made on
behalf of the appellant for grant of anticipatory bail for the
offences under Sections 307, 323, 324, 325, 34, 341, 354,
379 and 504 of the Indian Penal Code and Section 3(1)(r)
(s) of SC/ST (POA) Act has been rejected.

The accusation against the appellant is of

assaulting the members of the prosecution party and also of



having attempted to outrage the modesty of the female members of the house.

The learned counsel for the appellant has submitted that this case has been lodged only because of civil dispute between the parties and in a most brazen manner, accusation involving the application of SC/ST (Prevention of Atrocities), Act has been made. The police after thorough investigation found the accusation against the appellant to be false and did not send him up for trial. However, differing with the police report, cognizance has been taken against the appellant as well. The injuries suffered by the victim is stated to be simple in nature.

On the afore-stated facts, it has been urged that the mischief under the SC/ST (Prevention of Atrocities), Act cannot be brought home so far as the appellant is concerned.

For the reasons afore-stated, the order dated 16.07.2021 passed by the learned 1st Additional Sessions Judge, Samastipur, is set aside.

The appeal is allowed.



The appellant, above named, is directed to be released on bail in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt /production of a copy of this order on his furnishing bail bonds in the sum of Rs. 10,000 (Rs. Ten Thousand) with two sureties of like amount each to the satisfaction of the learned 1st Additional Sessions Judge, Samastipur in connection with Singhiya P.S. Case No. 36/19.

(Ashutosh Kumar, J)

sunilkumar/-

U		T	
---	--	---	--

