

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.102 of 2021**

Arising Out of PS. Case No.-53 Year-2020 Thana- DARAUNDA District- Siwan

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1. YOGENDRA SINGH S/O LATE KAMLA SINGH RESIDENT OF VILLAGE-KARSAUT, P.S.-DARAUNDA, DISTRICT-SIWAN.
  2. DEEPAK SINGH SON OF YOGENDRA SINGH RESIDENT OF VILLAGE-KARSAUT, P.S.-DARAUNDA, DISTRICT-SIWAN.
  3. DHIRAJ KUMAR SINGH @ BUCHAN SINGH @ BUCHUN SINGH SON OF YOGENDRA SINGH RESIDENT OF VILLAGE-KARSAUT, P.S.-DARAUNDA, DISTRICT-SIWAN.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

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**Appearance :**

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|----------------------|---|-------------------|
| For the Appellant/s  | : | Mr.Prashant Kumar |
| For the Respondent/s | : | Mr.A.G            |

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
ORAL ORDER

2      26-10-2021                      Heard learned counsel for the appellants and learned counsel for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by order dated 05.09.2020, passed by learned Additional Sessions Judge-I-cum-Special Judge, Siwan, in connection with Daraunda P.S. Case No.53 of 2020, registered under Sections 341, 323, 324, 504, 34 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Learned counsel for the appellants submits that there is allegation of abusing of his caste name. It is also submitted on behalf of the appellant that appellant assaulted the informant which

does not come within the purview of SC/ST Act.

From perusal of the injury report, it shows that only one injury, i.e., lacerated wound sustained by informant caused by blunt and hard substance.

Having regard to the submissions made by the parties and taking into consideration the material on record, I am of the view that appellants are entitled to privilege of anticipatory bail.

Accordingly, the impugned order dated 05.09.2020 is set aside and this appeal stands allowed.

Let the appellants, above-named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge, Siwan in connection with Daraunda P.S. Case No.53 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Sunil Kumar Panwar, J)**

sanjeev/-

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