

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.277 of 2021

Arising Out of PS. Case No.-161 Year-2018 Thana- ARER District- Madhubani

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1. Pankaj Kumar Singh, S/O Awadhesh Kumar Singh Resident Of Village-Karhi, Police Station-Arer, District-Madhubani.
 2. Deepak Kumar Singh, S/O Awadhesh Kumar Singh Resident Of Village-Karhi, Police Station-Arer, District-Madhubani.
 3. Amaresh Prasad Singh @ Amaresh Singh, S/O Kapileshwar Singh Resident Of Village-Karhi, Police Station-Arer, District-Madhubani.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ashok Kumar Jha- Advocate
For the Respondent/s : Ms. Usha Kumari-I- S.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 28-06-2021 Heard Mr. Ashok Kumar Jha, the learned Advocate

for the appellants and Ms. Usha Kumar-1, the learned Special

Public Prosecutor for the State.

The appellants have challenged the order dated
28.01.2020 passed by the learned 1st Additional District
Judge, Madhubani in connection with Arer P. S. Case
No.161 of 2018, instituted for the offences under Sections
341, 323, 324, 354, 504/ 34 of the Indian Penal Code and
Sections 3(I)(r)(w), 3(2)(Va) of the Scheduled Castes &
Scheduled Tribes (Prevention of Atrocities) Act whereby
their prayer for grant of anticipatory bail has been rejected.



The appellants are stated to have assaulted, abused and misbehaved with the informant and his associates.

The learned Advocate for the appellants has submitted that the fact of the matter is that the informant himself has assaulted one Jasidas. The averments made in the subject F.I.R. do not contain the correct narration of the events. No motive has been assigned for the occurrence and there is no injury on record to support the charges levelled in the F.I.R.

The provision of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act has added in order to give the case a serious colour.

For the background facts and the arguments advanced on behalf of the appellants, the order dated 28.01.2020, referred to above, is set aside.

The appeal stands allowed.

The appellants, above named, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to



the satisfaction of the learned 1st Additional District Judge,
Madhubani in connection with Arer P. S. Case No.161 of 2018,
subject to the conditions laid down under Section 438(2) of the
Cr.P.C.

(Ashutosh Kumar, J)

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