

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.384 of 2021

Arising Out of PS. Case No.-417 Year-2018 Thana- MAHUA District- Vaishali

1. CHANDRADEEP THAKUR Son of Late Ram Varan Thakur Resident of Village- Nilkanthpur, P.s.- Mahua, Distt- Vaishali.
2. MANISH KUMAR S/o Chandradeep Thakur Resident of Village- Nilkanthpur, P.s.- Mahua, Distt- Vaishali.
3. PASHUAPTI KUMAR Son of Braj Kishore Singh Resident of Village- Nilkanthpur, P.s.- Mahua, Distt- Vaishali.
4. NAVIN KUMAR S/o Chandradeep Thakur Resident of Village- Nilkanthpur, P.s.- Mahua, Distt- Vaishali.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ravish Mishra

For the Respondent/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-04-2021 Heard learned counsel for the appellants and learned
Special P.P. for the State through virtual mode.

Learned counsel for the appellants is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The matter relates to grant of anticipatory bail to the appellants in connection with a case registered for the offences under Sections 341, 323, 354, 504/34 of the Indian Penal Code and Section 3(1)(r)(s) of the SC/ST (Prevention of Atrocities) Act, 1989.



The prosecution case, in short, is that the accused persons including the appellants misbehaved with the girls of the village of informant and on complaint made by the girls, the accused persons abused their parents by taking their caste name.

It has been submitted on behalf of the appellants that the appellants have got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the appellants. The appellants have falsely been implicated in the present case. General and omnibus allegation has been made. No specific overt act is alleged against the appellants. The alleged occurrence has not taken place within public view. Hence no offence under the SC/ST Act is attracted in the present case.

On behalf of the State, it is submitted that the appellants are named in the complaint case/F.I.R.

In view of the aforesaid facts and circumstances, the order dated 21.09.2019, passed by the learned Additional District and Sessions Judge First-cum-Special Judge, Hajipur, Vaishali vide A.B.P. No.1946 of 2019 in connection with Mahua P.S. case No.417 of 2018, is set aside. The criminal appeal is allowed.

Accordingly, the appellants, above named, in the



event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge First-cum-Special Judge, Hajipur, Vaishali in connection with Mahua P.S. case No.417 of 2018.

(Sudhir Singh, J)

Narendra/-

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