

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1461 of 2021

Arising Out of PS. Case No.-155 Year-2019 Thana- SARAN COMPLAINT CASE District-
Saran

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UMESH PRASAD SINGH Son of Late Ganga Prasad Singh Resident of
Village-Chainpur, P.S.-Taraiya, District-Saran. Appellant/s

Versus

THE STATE OF BIHAR Respondent/s

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Appearance :

For the Appellant/s : Mr. Harish Kumar

For the Respondent/s : Mr. A.G

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-10-2021 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

The instant appeal has been filed by the appellant against the order dated 06.10.2020 passed by learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST (POA) Act, Saran at Chapra in ABP No. 2332 of 2020 whereby the prayer for bail of the appellant in connection with Complaint Case No. 155 of 2019 Corresponding to SC/ST Case No. 180 of 2019 under Section 323 of the Indian Penal Code, section 3(i) (r)(s) of the SC/ST Act was rejected.

It is alleged against the appellant that he has assaulted and abused the complainant by taking his caste name.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to land dispute. In fact, complainant is having intention to grab the land of the accused and only to put pressure upon him, he has



filed the present case with concocted and fabricated story. He has got no criminal antecedent.

Having heard learned counsel for the parties and considering the fact that cognizance of offence has been taken against the accused under section 323 of the IPC and section 3(1)(r)(s) of the SC/ST Act and, thereafter, vide order dated 06.10.2020, the learned 1st Additional Sessions Judge-cum-Special Judge SC/ST (POA) Act, Saran at Chapra has rejected the anticipatory bail of the appellant.

In view of the above, this Court does not find any infirmity or illegality in the order of learned Court below.

Accordingly, the appeal with regard to the appellant for release the appellants on anticipatory bail is rejected.

However, if the appellant surrenders and prays for regular bail within a period of six weeks, the same shall be considered by the court below, without being prejudiced by the order of this Court.

With the aforesaid observation/direction, the appeal stands disposed off.

(Sunil Kumar Panwar, J)

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