

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.537 of 2021**

Arising Out of PS. Case No.-303 Year-2019 Thana- RAMNAGAR District- West Champaran

CHETAN SINGH Son of Utam Singh @ Uttamhari Singh Resident of Village
- Nepali Tola, P.S.- Ramnagar, District - West Champaran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjeev Kumar

For the Respondent/s : Mr.Sadanand Paswan, Spl. P.P.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

4 06-04-2021 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State through virtual mode.

This is an appeal under section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter in short referred to as the ‘SC/ST Act’) against the refusal of prayer for bail vide order dated 14.10.2020 passed by learned 1st Additional District & Sessions Judge -cum- Special Judge (SC/ST), Bettiah, West Champaran in B.P. No. 2337/2020 arising out of Ramnagar P.S. Case No.303/2019 registered under sections 341/ 323/ 504/ 506/34 IPC and section 3(i)(r), SC and ST (Prevention of Atrocities) Act.

The prosecution case in brief, is that when the informant asked to return the money which he has given to the



petitioner and other accused persons, they assaulted him and used caste related words. The informant was taken to the hospital and thereafter gave application before the S.P. regarding the same. The accused persons used to threat the informant.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case on account of money dispute between the parties. The accusation does not constitute any offence under SC/ST Act is made out inasmuch as there is no allegation that the alleged occurrence has taken place in public view. There is an unexplained delay of thirteen days in lodging the present case which creates doubt about the prosecution case. The allegation levelled against the appellant is not specific rather general and omnibus in nature. The appellant has been languishing in custody since 21.09.2020.

Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstance of the case, the above named appellant is directed to be released on bail on furnishing bail bond of Rs.25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the



satisfaction of the learned 1st Additional District and Sessions Judge -cum- Special Judge (SC/ST), Bettiah, West Champaran in connection with B.P. No. 2337/2020 arising out of Ramnagar P.S. Case No.303/2019.

Accordingly, impugned order is set aside and this appeal is allowed.

(Anjani Kumar Sharan, J)

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