

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5113 of 2019**

Arising Out of PS. Case No.-74 Year-2018 Thana- SC/ST District- Kaimur (Bhabua)

Ravi Prajapati, S/o Late Ramdeo Prajapati, Resident of Sonaw (Gangapur),
P.S. Durgawati, District Kaimur at Bhabhua.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sheo Kumar Prasad
For the Respondent/s : Mr.Binay Krishna

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

4 06-12-2021 Heard learned counsel for the appellant and learned
Special P.P. for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as 'the SC/ST Act') against the refusal of prayer of anticipatory bail vide order dated 16.08.2019, passed by learned Additional Sessions Judge Ist-cum-Special Judge, Kaimur at Bhabhua in connection with SC/ST (POA) Bhabhua P.S. Case No.74 of 2018, registered under Sections 147, 149, 341, 323, 448, 504, 506 of the Indian Penal Code and Section 3(i)(r)(s) of the SC/ST Act.

Allegation against the appellant is that he along with others abused the informant by naming her caste. The appellant and others also assaulted the informant.



Learned counsel for the appellant submits that the appellant has falsely been implicated in the present case. It is submitted that there is land dispute between the parties. It is further submitted that there is general and omnibus allegation against the appellant. Learned counsel for the appellant submits that the disputed land belongs to the appellant (Annexure-2, order of the DCLR, Mohaniya). It is submitted that similarly situated co-accused persons have already been granted anticipatory bail vide order passed in Criminal Appeal (SJ) No.3992 of 2019 on 25.09.2019.

Learned Special P.P. for the State opposed the prayer for anticipatory bail of the appellants.

Considering the fact that there is land dispute between the parties, no notice is required to be issued to the informant.

Having considered the fact that there is land dispute between the parties, let appellant, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-1st-cum-Special Judge, Kaimur at Bhabhua in connection with



SC/ST (POA) Bhabhua P.S. Case No.74 of 2018.

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

(Anjani Kumar Sharan, J.)

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