

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5554 of 2019

Arising Out of PS. Case No.-69 Year-2019 Thana- GOPALPUR District- Patna

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1. VINOD YADAV @ VINOD RAJ @ VINOD RAI Son of Late Ram Dyal Rai Resident of Village- Bairiya, P.S- Gopalpur, District- Patna.
 2. Vikki Kumar Son of Sri Vinod Yadav @ Vinod Raj @ Vinod Rai Resident of Village-Bairiya, P.S-Gopalpur, District-Patna.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ranjan Kumar Sharma
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 25-01-2021 Heard the parties.

The matter relates to grant of anticipatory bail to the appellants in connection with Gopalpur P.S. Case No. 69 of 2019 registered for the offences under Sections 323, 325, 307, 341, 354B, 504, 506/34 of the Indian Penal Code and Sections 3(1)(r)(s) of the SC/ST (POA) Act.

Allegedly, while the informant along with his parents and sister was working in his field, the accused persons called his caste name and started abusing telling him to withdraw the case. It is also alleged that the accused persons assaulted the informant side and also torn the cloth of his sister.



It has been submitted on behalf of the appellants that there is no allegation of tampering of witnesses alleged against the appellants. The appellants have falsely been implicated in the present case. There is case and counter case between the parties. The nature of injury is said to be simple. The alleged occurrence has not taken place within the public view. Hence, no offence under the provisions of 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 07-11-2019 passed by learned Additional District & Sessions Judge-XX-cum-Special Judge, SC/ST Act, Patna in Gopalpur P.S. Case No. 69 of 2019 is set aside. The present Criminal Appeal is *allowed*.

Accordingly, let the appellants, above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-XX-cum-Special Judge, SC/ST Act, Patna in connection with



Gopalpur P.S. Case No. 69 of 2019.

(Sudhir Singh, J)

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