

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.214 of 2022**

Arising Out of PS. Case No.-104 Year-2020 Thana- BARH District- Patna

1. Rahul Kumar Son Of Saina Singh R/O Village- Madanpur, P.S.- Ntpc, Barh, District- Patna
2. Anant Kumar Son Of Nagendra Prasad R/O Village- Madanpur, P.S.- Ntpc, Barh, District- Patna

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Anil Kumar Singh
For the Respondent/s : Ms. Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 14-07-2022 Heard learned counsel for the appellants and

learned Special P.P for the State.

The appellants have challenged the order dated 17.11.2021 passed by the learned Additional District Judge-III-cum-Special Judge, SC/ST Act, Patna in connection with Barh P.S. Case No. 104 of 2020 instituted for the offences punishable under Sections 147, 148, 149, 152, 189, 332, 341, 342, 323, 325, 307, 337, 353, 427, 435, 431, 504, 506 of the Indian Penal Code and Section 3(1)(r)(s)/3(2)(va) of the SC & ST (Prevention of Atrocities) Act, whereby their prayer



for being released on anticipatory bail has been rejected.

As per allegation in the F.I.R, the informant being A.S.I., during petrolling got information that Sahri-Sarmera road were blocked. He, thereafter went along with 50-60 police personnel to clear the road. It is alleged that appellants along with other miscreants have obstructed the informant in discharging of his official duties, made assault and abused him by calling his caste name.

It is submitted by learned counsel for the appellants that appellant have falsely been implicated in this case. There is general and omnibus allegation against the appellants. The appellants have not been apprehended from the spot. A statement has been made in para 3 of the petition that appellants have no criminal antecedent.

Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order 17.11.2021 passed by the learned Additional District



Judge-III-cum-Special Judge, SC/ST Act, Patna in
connection with Barh P.S. Case No. 104 of 2020.

Accordingly, this appeal is allowed.

The appellants, above named are directed to be
released on bail in the event of his arrest or surrender
within a period of four weeks from today and on his
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 Judge-III-cum-
Special Judge, SC/ST Act, Patna in connection with Barh
P.S. Case No. 104 of 2020.

(Sunil Kumar Panwar, J)

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