

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.207 of 2022

Arising Out of PS. Case No.-25 Year-2021 Thana- SIMRA District- Aurangabad

AMIT SINGH @ SONU SINGH Son of Sunil Singh Resident of Village-
Dukhi Bigha, P.S.- Simra, District- Aurangabad.

... .. Appellant/s

Versus

1. The State of Bihar
2. Umesh Ram (A.S.I., P.S.- Simra) Son of Mangal Ram Resident of Village-
Gajibihra, P.S.- Mohamadganj, District- Palamu (Jharkhand), at present
address- Simra, P.S.- Aurangabad.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Pramendra Kumar Singh, Advocate
For the Respondent/s : Mr. Usha Kumari-1, Special P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-07-2022 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

The present appeal is directed against the order dated 22.12.2021 passed by learned Ist Additional District & Sessions Judge-cum-Special Judge (SC/ST), Aurangabad in a case registered for the offence punishable under Sections 341, 323, 324, 307, 332, 333, 353, 504, 34 and 427 of the Indian Penal Code and Sections 3(i)(r)(s)/3(2)(va) of the SC/ST (POA) Act, whereby anticipatory bail of the appellant has been rejected.

It is a case of assaulting of the public servant (informant) by the appellant along with other accused persons.

It is submitted by learned counsel for the appellant that the provision of SC/ST Act is not attracted because there is no intention of the appellant to insult the informant who is a



member of the SC/ST community. He further submits that the injured persons namely, Ram Pravesh Yadav, Birendra Prasad and Umesh Ram sustained injuries which are simple in nature as opined by the doctor as is apparent also from the injury report annexed with the petition.

Learned counsel for the Special Public Prosecutor on the other hand opposes the prayer for anticipatory bail.

Having heard learned counsel for the parties and taking into consideration, the Court is inclined to allow this appeal. Accordingly, the instant appeal is allowed and the impugned order dated 22.12.2021 passed in ABP No.1652 of 2021 is hereby set aside.

The appellant is directed to be enlarged on anticipatory bail in the event of his arrest or surrender before the court below within a period of four weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Ist Additional District & Sessions Judge-cum-Special Judge SC/ST, Aurangabad in connection with Simra P.S. case No. 25 of 2021.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

U		T	
---	--	---	--

