

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.631 of 2022

Arising Out of PS. Case No.-9 Year-2022 Thana- DORIGANJ District- Saran

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1. ANITA DEVI @ ANITA SINGH Wife of Binay Singh @ Binay Kumar Singh Resident of Village- Fulchak Rasalpura, P.S.- Doriganj, District- Saran at Chapra (Bihar).
 2. Sushma Singh @ Sushma Kumari Daughter of Binay Singh @ Binay Kumar Singh Resident of Village- Fulchak Rasalpura, P.S.- Doriganj, District- Saran at Chapra (Bihar).
 3. Soni Singh Wife of Satish Singh Resident of Village- Fulchak Rasalpura, P.S.- Doriganj, District- Saran at Chapra (Bihar).
 4. Anju Singh Wife of Saroj Singh Resident of Village- Fulchak Rasalpura, P.S.- Doriganj, District- Saran at Chapra (Bihar).
 5. Priti Singh Wife of Randhir Singh Resident of Village- Fulchak Rasalpura, P.S.- Doriganj, District- Saran at Chapra (Bihar).

... .. Appellants.

Versus

1. The State of Bihar
2. Dwarshi Manjhi Son of Late Ram Pravesh Manjhi Resident of Village- Ramgarha, P.S.- Awatar Nagar, District- Saran at Chapra (Bihar), At present Residing at Village- Rasalpura, P.S.- Doriganj, District- Saran at Chapra (Bihar).

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Rakesh Kumar
For the Respondent/s	:	Mr. Sadanand Paswan
		Mr. Rakesh Mohan Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-08-2022 Heard learned counsel for the appellants, learned counsel for the respondent no.2 and learned Special Public Prosecutor for the State.

Learned counsel for the appellants undertakes to remove the defects, if any, within four weeks. In the eventuality of non-removal of defects within undertaken period, the office



will place the matter before the Bench.

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 of anticipatory bail vide order dated 21.01.2022 passed by learned 1st Additional Sessions Judge cum Special Judge (SC/ST Act), Saran at Chapra in connection with Doriganj P.S. Case No. 09 of 2022 registered under Sections 341, 323, 504, 506 & 34 of the Indian Penal Code and Section 3(1) (r) (s) / 3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

It is submitted by learned counsel for the appellants that the appellants have no concern with the aforesaid occurrence. They have been falsely implicated in the case due to land dispute and dirty village politics. The allegation of assault levelled against the appellants is not specific rather general and omnibus in nature. There is case and counter case between the parties. Appellants have no criminal antecedent.

Learned Spl. PP for the State assisted by learned counsel for the respondent no.2 vehemently opposed the prayer for bail.

In the facts and circumstances of the case, the



above named appellants, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge cum Special Judge (SC/ST Act), Saran at Chapra in connection with Doriganj P.S. Case No.09 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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

(Anjani Kumar Sharan, J)

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