

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1665 of 2021

Arising Out of PS. Case No.-53 Year-2020 Thana- KARPI District- Jehanabad

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1. BIJLI RAWANI @ BIJULI RAM Son of Kauleshwari Rawani @ Kauleshwar Ram Resident of Village- Khajuri, P.S.- Karpi, District- Arwal
 2. Minta Devi W/o Bijli Rawani @ Bijuli Ram Resident of Village- Khajuri, P.S.- Karpi, District- Arwal
 3. Takal Rawani @ Takal Ramani Son of Bijili Rawani @ Bijuli Ram Resident of Village- Khajuri, P.S.- Karpi, District- Arwal

... .. Appellants.

Versus

1. THE STATE OF BIHAR
2. Shiv Bachi Devi W/o Bitan Manjhi R/o Village- Khajuri, P.S.- Karpi, District- Arwal

... .. Respondents.

Appearance :

For the Appellant/s : Mr. Sanjay Kumar Mishra
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 13-07-2022 Heard learned counsel for the appellants and
learned Special Public Prosecutor for the State.

Learned counsel for the appellants undertakes to remove the defects within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

Today, learned counsel for the appellants filed a jointness petition bringing on record that informant of this case i.e. respondent no.2 as well as her brother-in-law are residing together with their respective family.



Let it be kept on record.

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 14.10.2020 passed by learned 1st Additional Sessions Judge, Jehanabad in connection with Karpi P.S. Case No. 53 of 2020 registered under Sections 323, 341, 354 and 504/34 of the Indian Penal Code and Section 3(1) (r) (s) (w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The accusation against these appellants is that they assaulted and abused the informant and her family members.

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 dirty village politics. The allegation of assault levelled against the appellants is not specific rather general and omnibus in nature. Slating the informant in the name of caste is said to have been made at the house of the informant and not in public view, hence no offence under SC/ST Act is made out against the



appellants. Appellants have no criminal antecedent.

Learned Spl. PP for the State 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, Jehanabad in connection with Karpi P.S. Case No.53/2020, 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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