

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.2574 of 2021**

Arising Out of PS. Case No.-123 Year-2020 Thana- RASULPUR District- Saran

1. Prince Kumar Singh S/o Yugal Kishore Singh @ Yugul Singh @ Jugul Singh Resident of Village- Chhotki Ghurapali, P.S.- Rasulpur, District- Saran at Chapra.
2. Ajay Kumar Singh @ Ajay Singh S/o Ganesh Singh Resident of Village- Chhotki Ghurapali, P.S.- Rasulpur, District- Saran at Chapra.
3. Adarsh Kumar Singh @ Shivam Kumar Singh S/o Ajay Kumar Singh @ Ajay Singh Resident of Village- Chhotki Ghurapali, P.S.- Rasulpur, District- Saran at Chapra.
4. Ritik Singh @ Ritik Kumar Singh S/o Satish Singh Resident of Village- Chhotki Ghurapali, P.S.- Rasulpur, District- Saran at Chapra.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

**Appearance :**

|                      |   |                              |
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| For the Appellant/s  | : | Mr.Rakesh Mohan Singh, Adv.  |
| For the Respondent/s | : | Mr.Sadanand Paswan, Spl.P.P. |
|                      |   | Mr.Anil Kumar Tiwary, Adv.   |

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

5      21-07-2022      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 has filed two supplementary affidavits in the Court. The same are taken and kept on record.

Learned counsel for the appellants undertakes to remove the defects within three 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) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer for anticipatory bail vide order dated 22.03.2021, passed by learned Additional Sessions Judge-1st- cum-Special Judge SC/ST (POA) Act, Saran at Chapra, in connection with Rasulpur P.S. Case No.123/2020, registered under sections 147/148/149/504/447/354(B)/323/324/325/379/435/427 of the IPC and sections 3(1)(r)(s) of the SC/ST Act.

Allegedly, all the FIR named accused persons including the appellants armed with deadly weapons came at door of the informant and started abusing her by caste name. Thereafter, they entered into her house and indiscriminately assaulted the informant's side.

It is submitted by learned counsel for the appellants that the appellants are innocent and have not committed any offence. No such occurrence as alleged has ever taken place. Appellants have been falsely implicated in the case with frivolous allegation. It is stated that there is a land dispute between the parties and a free fight has taken place on the alleged date of



occurrence, for which there is a case and counter-case between the parties. It is submitted that no offence under the SC/ST Act is made out against the appellants as there is no specific allegation against them to abuse the informant or her family. Learned counsel for the appellants has filed supplementary affidavit in this case to bring the fact on record that the appellant nos.2 and 3 have one criminal antecedent. Appellant nos.1 and 4 have no criminal antecedent.

Learned Spl. PP for the State as well as learned counsel for the respondent no.2 opposed the prayer for anticipatory bail by submitting that there is specific allegation against the appellants to abuse the informant by taking caste name.

Considering the facts and circumstances of the case, I am not inclined to enlarge the appellants on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

Accordingly, the appeal is dismissed.

**(Anjani Kumar Sharan, J)**

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