

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1411 of 2022

Arising Out of PS. Case No.-627 Year-2014 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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1. RAKESH NANDAN SINHA S/o Sri Awani Kumar Sinha Resident of
Purani Sarai, P.S.- Nathnagar, District- Bhagalpur (Bihar)
 2. Roshan Kumar Singh S/o Sri Sudheshwari Prasad Singh R/o village-
Madrauni, P.S.- Rangara Chowk, Bhagalpur (Bihar)

... .. Appellants.

Versus

1. The State of Bihar
2. Parmeshwari Paswan S/o Late Basant Paswan R/o village- Bhawanipur,
P.S.- Vaisi, District- Araria (the then posted as S.I. Police, Police Centre
Bhagalpur)

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ravi Bhushan
For the Respondent/s : Mrs. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-08-2022 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.

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 14.11.2014 passed by learned Sessions, Bhagalpur in connection with Kotwali P.S. Case No. 627/2014 registered under Sections 147, 148, 149, 341, 323, 353, 332, 427, 504, 506 & 435 of the Indian Penal Code and Section 3(1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The allegation against these appellants is that they are the members of agitators and they abused and assaulted the police party and obstructed them in discharge of their duty.

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. The allegation of assaulting the informant is not specific rather general and omnibus in nature. Appellants are only the members of the mob. 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 Sessions Judge, Bhagalpur in connection with Kotwali P.S. Case No.627/2014, 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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