

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1781 of 2022**

Arising Out of PS. Case No.-26 Year-2021 Thana- SC/ST District- Lakhisarai

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DINESH RAM SON OF LATE RAJENDRA RAM RESIDENT OF
VILLAGE- VRINDAVAN HARIJAN COLONY , P.S- KUIL , DIST-
LAKHISARAI

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Manoj Kumar, Advocate

For the Respondent/s : Mr. Sadanand Paswan, APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 23-11-2022 Heard learned counsel for the appellant and learned
Spl.P.P. for the State.

This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for **anticipatory bail** vide order dated 18.04.2022 in ABP No. 409 of 2022 passed by the learned Additional District and Sessions Judge-1st, Lakhisarai in connection with SC/ST Lakhisarai P.S. Case No. 26 of 2021 registered under Sections 341, 323, 337, 354(B), 379, 504, 506 and 34 of the Indian Penal Code and Section 3(i)(r)(s) and 3(2) (va) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities Act).



Learned counsel for the appellant submits that the appellant is a person with clean antecedent and the informant alleges that accused persons, including the appellant, came to her house, thereafter the appellant pulled her saree and made her semi-naked and also threatened by a pistol, further other accused person also assaulted her and snatched her earrings and abused and assaulted her son also.

Learned counsel for the appellant submits that the appellant has been falsely implicated in the present case, it is next submitted that from bare perusal of allegation as alleged in the FIR, it would manifest that the occurrence is alleged to have taken place at the house of the informant and thus was not public view and even allegations of abuse and assault against husband and son are general and omnibus in nature.

Learned Spl.P.P. for the State opposes the prayer for anticipatory bail of the appellant.

Considering the submissions made by the learned counsel for the appellants, the order dated 18.04.2022 in ABP No. 409 of 2022 passed by the learned Additional District and Sessions Judge-st, Lakhisarai in connection with SC/ST Lakhisarai P.S. Case No. 26 of 2021 is hereby set aside and the appellants above-named, in the event of their arrest or surrender



before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with SC/ST Lakhisarai P.S. Case No. 26 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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