

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2215 of 2022

Arising Out of PS. Case No.-252 Year-2022 Thana- BARACHATTI District- Gaya

Ranjit Kumar Verma @ Ranjeet Kumar, Son Of Chhedi Prasad Resident Of
Village- Mahkampur, P.S.- Barachatti, District- Gaya

... .. Appellant/S

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ajay Kumar Sinha
For the Respondent/s	:	Ms. Usha Kumari 1
		Mr. Kunwar Narayan Jamuar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-11-2022 Heard learned counsel for the appellant, learned
counsel for the informant and the learned Special Public
Prosecutor for the State.

The appellant has challenged the order dated
31.05.2022 passed by the learned Exclusive Special Judge,
SC/ST, Gaya in connection with Barachatti P. S. Case
No.252 of 2022, instituted for the offences under Sections
147,148,149,323,324,325,354(B),307,504,506,34 of the
Indian Penal Code and Section 3(i)(r)(s)(w)(i)(ii),3(ii)(v-a)
of the Scheduled Castes & Scheduled Tribes (Prevention of
Atrocities) Act, whereby their prayer for grant of
anticipatory bail has been rejected.

The learned counsel for the appellant submits that



appellant is a person with clean antecedent and the informant alleges that the accused persons including the appellant came to her house and assaulted her, her son and daughter in-law causing injury on head of her son for the reason that she was contesting election.

The learned counsel for the appellant submits that from bare perusal of the allegation as alleged in the F.I.R., it would manifest that even presuming what has been alleged is true without admitting, then the entire occurrence took place at the house of the informant and thus, was not in public view. It is next submitted that the F.I.R. even does not disclose remotely that as to who assaulted the informant and her family members. It is next submitted that it appears that since informant was contesting election, as such, she wanted to coerce her opponent and persons, who were not supporting her into submission, so that they were not able to participate in the election. It is next submitted that since the entire occurrence took place at the house of the informant, as such, it was not in public view and then, allegation of assault is general and omnibus in nature.

The learned counsel for the informant as well as the learned Special P. P. opposes the bail application, but are



not able to meet the submission of the learned counsel for the appellant that the entire occurrence took place at the house of the informant and thus, was not in public view and the allegation of assault is general and omnibus in nature.

Regard being had to the aforesaid submissions, the order dated 31.05.2022 is set-aside.

The appeal stands allowed.

The appellant, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST, Gaya in connection with Barachatti P. S. Case No.252 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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