

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.251 of 2021

Arising Out of PS. Case No.-50 Year-2020 Thana- SIKARHATTA District- Bhojpur

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1. Kariman Singh @ Ravi Ranjan Kumar
 2. Bittu Singh @ Bittu Kumar S/o Kanhaiya Singh Resident of Village-Baldehri, P.S.- Sikrahta, Distt- Bhojpur.

... .. Appellant/s

Versus

1. The State of Bihar
2. Chandrma Ram@Dhanjee Ram Nagina Ram R/O- Village-Baldehari, P.S.- Sikarhata, District-Bhojpur

... .. Respondent/s

Appearance :

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

For the Respondent/s : Mr. Sadanand Paswan, Spl. PP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 03-02-2022 Heard learned counsel for the appellants and learned Special Public Prosecutor for the State through virtual court proceeding.

Vide order date 01.11.2021, notice was issued to the respondent no. 2. From perusal of the office notes, it appears that notice has been validly served upon the respondent no. 2, but nobody appears on his behalf.

This is an appeal under section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer for anticipatory bail vide order dated 06.07.2020, passed by learned Additional District and Sessions Judge-1st-cum-Special Judge, Bhojpur at Ara in connection with



Sikrahta P.S. Case No. 50 of 2020, registered under Sections 147, 148, 149, 323, 326, 307 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(i) (r) (s) of SC/ST Act.

It has been alleged in the FIR that the children of the two communities fought amongst themselves while playing cricket. The elders in the family also unfortunately entered the fray. The matter was settled on the field but later, co-accused Abhimanyu Singh along with his associates including the appellants came to the house of the informant. The members of the prosecution party were abused and co-accused Abhimanyu Singh is said to have fired a weapon which hit one of the persons of the prosecution party in his eye.

It is submitted by learned counsel for the appellants that the appellants are innocent and have not committed any offence. He submits that there is general and omnibus allegation against the appellants. He submits that there is specific allegation against co-accused Abhimanyu Singh. He submits that similarly situated co-accused has been granted bail by a coordinate Bench of this Court vide order dated 01.07.2021 in Cr. APP No. 800 of 2021. He further submits that appellants have no criminal antecedent as stated in para-3 of this appeal.

Learned Spl. PP for the State opposes the prayer for bail.



Considering the facts and circumstances of the case and the fact similarly situated co-accused has already been granted bail, 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 anticipatory 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 Additional District and Sessions Judge-1st-cum-Special Judge, Bhojpur at Ara in connection with Sikrahta P.S. Case No. 50 of 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 the appeal is allowed.

(Anjani Kumar Sharan, J)

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