

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3304 of 2021**

Arising Out of PS. Case No.-11 Year-2021 Thana- SC/ST District- Rohtas

SATYENDRA SINGH @ SIKANDAR SINGH @ SIKANDAR KUMAR
SINGH S/o Late Mukhdeo Singh R/o village- Dharhara, P.S.- Darihat,
District- Rohtas

... .. Appellant/s

Versus

1. The State of Bihar
2. Pintu Devi Gopal Bhuiya R/o Village- Dharhara, P.S.- Darihat, Dist.- Rohtas

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sunil Kumar Singh
For the Respondent/s : Mr.Sadanand Paswan

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

8 07-02-2022 Heard learned counsel for the appellant and learned Special Public Prosecutor for the State through virtual mode. However, nobody appears on behalf of the informant/respondent no.2 although vide order dated 02.11.2021, notice was directed to be issued and as per the office notes, the notice has been validly served.

This is an appeal under section 14A (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 for bail vide order dated 26.04.2021 passed by learned 1st Additional Sessions Judge-cum-Special Judge, Rohtas at Sasaram, in connection with SC/ST Dehri P.S. Case



No.11 of 2021, registered under sections 504, 506, 436/34 of the IPC and section 3(1)(r)(5) of the SC and ST Act.

The prosecution case in short is that the appellant along with other accused persons after abusing the informant in caste name, put her house on fire and locked the door from outside.

It is submitted by learned counsel for the appellant that no such occurrence in the manner as alleged has ever taken place. Appellant is quite innocent and has been falsely implicated in the case merely on suspicion. There is no eye-witness to the alleged occurrence. There is no burn injury on any of the members of informant's side. The allegation levelled against the appellant of abusing the informant is not specific rather general and omnibus in nature, as such, no offence under the SC/ST Act is made out against the appellant. The appellant has no criminal antecedent and is languishing in custody since 12.03.2021.

Learned Spl. PP for the State opposed the prayer for bail by submitting that the appellant is involved in the said occurrence.

In the facts and circumstance of the case, considering the custody of more than ten months, the above named appellant is directed to be released on bail on furnishing bail bond of Rs.25,000/- (Rs. Twenty Five Thousand) with two sureties of



the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge, Rohtas at Sasaram, in connection with SC/ST Dehri P.S. Case No.11 of 2021.

The impugned order is accordingly set aside and the appeal is allowed.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

