

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3639 of 2021**

Arising Out of PS. Case No.-60 Year-2021 Thana- AANDAR District- Siwan

1. Hare Ram Singh Son of Late Janak Singh Resident of Village - Hardopatti, P.S.- Aandar, District - Siwan.
2. Bhuwar Singh @ Bittu Singh Son of Hare Ram Singh Resident of Village - Hardopatti, P.S.- Aandar, District - Siwan.
3. Golu Singh Son of Hare Ram Singh Resident of Village - Hardopatti, P.S.- Aandar, District - Siwan.
4. Sujeet Kumar Singh Son of Badshah Singh Resident of Village - Hardopatti, P.S.- Aandar, District - Siwan.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Dewendra Narayan Singh
For the Respondent/s : Mr.Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 22-06-2022 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

The present memo of appeal has been filed on behalf of the appellants for grant of anticipatory bail against the order dated 05.07.2021 passed by learned Ist Additional Sessions Judge-cum-Special Judge, Siwan in connection with Andhar P.S. Case No. 60 of 2021 under Sections 341, 323, 324, 504, 506/34 of the Indian Penal Code and section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby the prayer for anticipatory bail of the appellants



was rejected.

Prosecution case in brief is that on 05.04.2021 at about 10.15 AM, while the informant was going to purchase bamboo on the way, all these appellants started abusing him by calling his caste name. On protest, appellant no. 1 assaulted the informant with knife causing injury on his forehead, appellant no. 2 assaulted him with iron rod and appellant no. 4 assaulted the nephew of informant with iron rod.

It is submitted on behalf of the appellants the altercation took place between the parties due to dispute between the children of both sides on the playground. There is general and omnibus allegation. No specific overt act has been alleged against these appellants. No case under SC/ST Act is made out, as the occurrence has not taken place within public view. The doctor has found the injuries to be simple in nature. Appellants have got clean antecedent.

Considering the nature of accusation and the fact that appellants inflicted repeated knife blow to the informant, this appeal is rejected.

(Prabhat Kumar Singh, J)

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