

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2521 of 2022**

Arising Out of PS. Case No.-121 Year-2022 Thana- JAGDISHPUR District- Bhagalpur

DILIP SINGH @ DILIP KUMAR SINGH Son of Ram Singh Resident of
village- singhnan, P.S- Rajoun, Dist- Banka

... .. Appellant/s

Versus

1. The State of Bihar
2. Ritu Das Son of Late Ashin Das Resident of village- Kaneri, P.S- Jagdishpur,
District- Bhagalpur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Praveen Kumar, Advocate
For the Respondent/s : Mr. Special P.P.

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 25-08-2022 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

The present appeal is directed against the order dated
12.07.2022 passed by learned Additional Sessions Judge-cum-
Special Judge-III-cum-Special Judge (SC/ST Act), Bhagalpur,
in a case registered for the offence punishable under Sections
341, 323, 379, 504 and 506/34 of the Indian Penal Code and
Sections 3(i)(r) of the SC/ST Act whereby anticipatory bail of
the appellant has been rejected.

It is a case of assault and abuse to the informant at
the hands of the appellant.

It is submitted by learned counsel for the appellant



that the provision of SC/ST Act is not attracted because there is no intention of the appellant to insult the informant who is a member of the SC/ST community and it is also submitted that the occurrence did not take place in public view.

Learned counsel for the Special Public Prosecutor on the other hand opposes the prayer for anticipatory bail.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the Court is inclined to allow this appeal. Accordingly, the instant appeal is allowed and the impugned order dated 12.07.2022 passed in ABP No.1409 of 2022 is hereby set aside.

The appellant is directed to be enlarged on anticipatory bail in the event of his arrest or surrender before the court below within a period of four weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge (SC/ST Act) Bhagalpur in connection with Special SC/ST Case No. 51 of 2022 (arising out of Jagdishpur P.S. case No. 121 of 2022).

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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