

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2617 of 2022**

Arising Out of PS. Case No.-9 Year-2022 Thana- GHOSI District- Jehanabad

RAJIV RANJAN @ MUKHIYA Son of Arun Prasad @ Arun Kumar Resident
of village- Deharpur, P.s- Ghoshi, Dist- Jehanabad

... .. Appellant/s

Versus

1. The State of Bihar
2. Amrendra Kumar Ram Son of Not Known Police Assistant Sub-Inspector,
P.S- Ghosi, Dist- Jehanabad

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shivendra Prasad
For the Respondent/s : Mrs. Usha Kumari I

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

2 05-09-2022 Heard learned counsel for the appellant and
learned Special Public Prosecutor for the State.

Learned counsel for the appellant undertakes to
remove the defects within four weeks of resumption of normal
court proceeding. In the eventuality of non-removal of defects
within undertaken period, the office will place the matter before
the Bench.

This is an appeal under Section 14(A)(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 of anticipatory bail
vide order dated 05.07.2022 passed by learned 1st Additional



Sessions Judge cum Special Judge (SC/ST Act), Jehanabad in connection with Ghosi P.S. Case No. 09 of 2022 registered under Sections 341, 342, 323, 332, 279, 337, 307, 353, 379, 504 & 506/34 of the Indian Penal Code and Section 3(1) (r) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

While the informant on duty, 20-25 unknown persons armed with lathi, danda and iron rod came at the place of occurrence and started abusing the informant in his caste name and they also assaulted the informant and other police officials.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. He has been falsely implicated in the case at the instance of village Chaukidar due to previous enmity. The allegation of assault levelled against the appellants is not specific rather general and omnibus in nature. Appellant has one criminal antecedent as mentioned in para-3 of this memo of appeal.

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

In the facts and circumstances of the case, the above named appellant, in the event of his arrest or surrender



before the learned Court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge cum Special Judge (SC/ST Act), Jehanabad in connection with Ghosi P.S. Case No.09 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Accordingly, the impugned order is set aside and this appeal is allowed.

(Anjani Kumar Sharan, J)

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