

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.587 of 2021**

Arising Out of PS. Case No.-244 Year-2020 Thana- UDWANTNAGAR District- Bhojpur

Bijendar Pratap Singh @ Pappu Singh S/O Ram Dayal Singh R/O Village-
Eroura, P.S-Udwant Nagar, District-Bhojpur At Ara.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant : Mr. Tej Pratap Singh, Advocate

For the State : Mr. Binay Krishna, Special P.P.

For the Informant : Mr. Vivek Kumar Singh, Advocate

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

2 23-06-2022 Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as 'the SC/ST Act') against the refusal of prayer of anticipatory bail vide order dated 10.10.2020, passed by learned 1st Additional Sessions Judge, Bhojpur, Ara in connection with SC/ST Case No.173 of 2020, arising out of Udwant Nagar P.S. Case No.244 of 2020, registered under Sections 302/34 of the Indian Penal Code, Sections 3 (1) (r)/3(2)(r) of the SC/ST Act as well as Section 27 of the Arms Act.

Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. It is submitted that no specific allegation is alleged against the appellant rather the allegation against the appellant is general and omnibus. It is further submitted that the specific allegation is



against co-accused, Kamlesh Ojha who fired upon the deceased. It is also submitted that similarly situated co-accused, Bhanu Pratap Singh has already been enlarged on anticipatory bail by this Court vide order dated 03.01.2022, passed in Criminal Appeal (SJ) No.168 of 2021.

Learned Special P.P. for the State and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the appellant.

Taking into consideration the facts aforesaid, let appellant, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged 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 learned 1st Additional Sessions Judge, Bhojpur at Ara in connection with SC/ST Case No.173 of 2020, arising out of Udwant Nagar P.S. Case No.244 of 2020, subject to the conditions 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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