

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4266 of 2021

Arising Out of PS. Case No.-239 Year-2021 Thana- RUNISAIDPUR District- Sitamarhi

1. MANIT SAHNI Son of Harindra Sahni Resident of village - Runnisaidpur, P.s.- Runnisaidpur, Distt.- Sitamarhi.
2. Wakil Sahni Son of Harindra Sahni Resident of village - Runnisaidpur, P.s.- Runnisaidpur, Distt.- Sitamarhi.
3. Ram Sirith Sahni Son of Sukhdeo Sahni Resident of village - Runnisaidpur, P.s.- Runnisaidpur, Distt.- Sitamarhi.
4. Pavitra Sahni Son of Sukhdeo Sahni Resident of village - Runnisaidpur, P.s.- Runnisaidpur, Distt.- Sitamarhi.
5. Ranjit Sahni Son of Pavitra Sahni Resident of village - Runnisaidpur, P.s.- Runnisaidpur, Distt.- Sitamarhi.
6. Ganur Sahni Son of Ram Sirith Sahni Resident of village - Runnisaidpur, P.s.- Runnisaidpur, Distt.- Sitamarhi.
7. Shanti Devi W/o Manish Sahni @ Manish Sahni Resident of village - Runnisaidpur, P.s.- Runnisaidpur, Distt.- Sitamarhi.
8. Khushboo Devi D/o Manish Sahni Resident of village - Runnisaidpur, P.s.- Runnisaidpur, Distt.- Sitamarhi.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Alok Kumar Alok, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-11-2022 Heard learned counsel for the appellants and
learned Spl. P.P. for the State.

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 for anticipatory bail vide



order dated 26.08.2021 in A.B.P. No. 1124/2021/ 101/2021 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Sitamarhi in connection with Runnisaidpur P.S. Case No. 239 of 2021 registered for the offences punishable under Sections 341, 323, 427, 504 and 34 of the Indian Penal Code as well as Sections 3(1)(r) (s)/ 3(2) (va) of the SC/ST Act.

The informant alleges that when he demanded his payment for work done a year before the accused persons including the appellants assaulted him on 29.03.2021 and injured his brother and uncle and even abused them by calling their caste name, further the accused persons came to his house and assaulted them despite cost being imposed by Panchayat, it is next alleged that his wife was also disrobed.

Learned counsel for the appellants submits that appellants are persons with clean antecedent and appellant no. 7 and 8 are women and appellants have been falsely implicated in the present case, it would manifest that the allegation are general and omnibus in nature when there are many accused persons but the informant in the FIR does



not allege specifically against any of the accused nor the FIR remotely suggest that the occurrence was witnessed by any witnesses thus it was not in public view and the later part of the allegation is respect to an occurrence which took place at the place of the informant which definitely was not in public view.

Learned Spl. P.P. for the State opposes the prayer for anticipatory bail of the appellants.

In view of the submissions made by the learned counsel for the appellants, order dated 26.08.2021 in A.B.P. No. 1124/2021/ 101/2021 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Sitamarhi in connection with Runnisaidpur P.S. Case No. 239 of 2021 is hereby set aside and the appellants above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Runnisaidpur P.S. Case No. 239 of



2021 subject to the conditions as laid down under Section
438 (2) of the Cr.P.C.

Accordingly, the appeal stands allowed.

At this stage, learned counsel seeks permission to
make rectification in the name of the appellant no. 6.

Permission is accorded.

(Satyavrat Verma, J)

GauravSinha/-

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