

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4301 of 2021**

Arising Out of PS. Case No.-150 Year-2020 Thana- PUNAURA District- Sitamarhi

VINAY BHANDARI @ RAM VINAY BHAGAT Son of Chulhai Mahto @
Chulhai Bhagat @ Chulhai Bhandari Resident of Village - Boraha, P.S.-
Riga, 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. Sadanand Paswan, Spl. P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 17-08-2022 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 refusal of prayer for anticipatory bail vide order dated 14.09.2021 in A.B.P. No. 1590/2021/138/2021 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Sitamarhi in connection with Punaura P.S. Case No. 150 of 2020 registered under Sections 147, 148, 149, 188, 341, 347, 353, 323, 307, 332, 333, 279, 270, 504 of the Indian Penal Code as well as Sections 3(i)(r)(s), 3(2)(va) of the SC/ST Act.

Learned counsel submits that appellant is a person with clean antecedent.



The informant alleges that a girl died in a road accident and the dead body was brought to the police station from where after completing formalities the body was returned to the relatives, thereafter, the informant came to know that 100-150 persons variously armed are causing ruckus on the road by resorting to jam and have kept the dead body on the road. It is alleged that when the informant reached the place of occurrence, the accused persons abused him taking his caste name and even assaulted some of the police personnel and damaged the vehicle.

Learned counsel for the appellant submits that from perusal of the allegation as alleged in the FIR, it would manifest that the allegations are vague and cryptic. It is not specifically alleged that who amongst the crowd abused and assaulted the police personnel or abused the informant by taking his caste name. Learned counsel next submits that similarly situated co-accused has been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 27.08.2021 in Cr. Appeal (SJ) No. 3308 of 2021.

Learned Special Public Prosecutor opposed the prayer for anticipatory bail.

Considering the aforesaid facts, let the appellant, above named, in the event of his arrest or surrender before the



learned Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond 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 in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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

(Satyavrat Verma, J)

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