

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4509 of 2021

Arising Out of PS. Case No.-143 Year-2021 Thana- DINARA District- Rohtas

RAJA RAM SINGH @ RAJARAM SINGH Son of Late Mandal Singh
Resident of Village- Karanj, P.S.- Dinara, District- Rohtas.

... .. Appellant/s

Versus

1. The State of Bihar
2. Jitendra Kumar Ram S/o- Kameshwar Ram R/s Vill- Karanj, P.S.- Dinara,
Dist.- Rohtas

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Yogesh Chandra Verma, Sr. Adv. Mr.Rohit Kumar, Adv.
For the Respondent/s	:	Mr.Sadanand Paswan, Spl.P.P. Mr.Chandra Mohan Jha, Adv. Mr.Rakesh Kumar Mishra, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 3 28-04-2022 Heard learned counsel for the appellant, learned counsel
for the respondent no.2 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
proceedings. In the eventuality of non-removal of defects within
stipulated period, office will place the matter before the Bench.

This is an appeal under section 14(A) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities)
Amendment Act, 2015 (hereinafter in short referred to as the
'SC/ST Act') against the refusal of prayer for bail vide order



dated 23.10.2021, passed by learned 1st Additional District & Sessions Judge -cum- Special Judge (SC/ST Act), Rohtas at Sasaram, in connection with Dinara P.S. Case No.143 of 2021, registered under sections 302, 147, 148, 149, 323, 504, 506 of the IPC, section 27 of the Arms Act and sections 3(2)(v), 3(1)(V) of the SC/ST (Prevention of Atrocities) Act.

Allegedly, on the instigation of the appellant, the other FIR named accused persons assaulted the informant's side by firing and giving *khanti* blow.

It is submitted by learned senior counsel for the appellant that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case due to village politics. The accusation does not constitute any offence under SC/ST Act is made out inasmuch as there is no allegation that the alleged occurrence has taken place in public view. There is a case and counter-case between the parties and a land dispute is also pending between the parties for which a title suit has been filed. The allegation levelled against the appellant is not specific rather general and omnibus in nature. Only allegation against the appellant is that he is the order giver. The appellant has been languishing in custody since 03.08.2021 and has no criminal antecedent.



Learned Spl. PP for the State as well as learned counsel for the respondent no.2 opposed the prayer for bail.

In the facts and circumstance of the case, considering that there is no specific overt act against the appellant, the above named appellant is directed to be released on bail on furnishing bail bond of Rs.25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional District & Sessions Judge -cum- Special Judge (SC/ST Act), Rohtas at Sasaram, in connection with Dinara P.S. Case No.143 of 2021.

The impugned order is accordingly set aside and the appeal is allowed.

(Anjani Kumar Sharan, J)

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