

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4914 of 2021**

Arising Out of PS. Case No.-4 Year-2021 Thana- SC/ST District- Sheikhpura

RAJESH SINGH @ RAJNISH KUMAR Son of Pashupati Singh Resident of
Village - Viman , P.s.- Ariyari, Distt.- Sheikhpura.

... .. Appellant/s

Versus

1. The State of Bihar
2. Chhotelal Manjhi Son of Jagdish Manjhi Resident of Village - Viman, P.S.-
Ariyari, Distt.- Sheikhpura.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Bipin Kumar

For the Respondent/s : Mr.Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 15-09-2022 Learned counsel for the appellant is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the appellant as well as

learned counsel for the respondents.

This appeal has been preferred on behalf of the

appellant under Section 14-A (2) of the SC & ST (Prevention of
Atrocities) Act for setting aside the order dated 20.11.2021 in
connection with Sheikhpura SC/ST P.S.Case No. 04 of 2021,
registered for the offences punishable under Sections 341, 323,
504 and 506/34 of the Indian Penal Code and Sections 3(1) (r)
(s)/ 3(2) (va) of SC and ST (Prevention of Atrocities) Act,



whereby the prayer for anticipatory bail of the appellant has been rejected.

As per allegation, the accused persons assaulted the son of the informant and when the informant and his brother attempted to rescue him, the accused persons also assaulted and abused them by calling their caste name.

Learned counsel for the appellant has submitted that the injuries are simple in nature and the appellant is a person of clean antecedent. He has submitted further that from perusal of paragraphs nos. 40, 47, 48 and 49 of the case diary, it appears that the genesis of the case is that the members of the informant's side had blocked the drainage system of *Panchayat Bhawan* and members of the defense side have also lodged Ariyari P.S. Case no. 14 of 2021 against the members of the informant's side.

Learned counsel for the informant has opposed the prayer for anticipatory bail. He has submitted that cognizance has already been taken in this case. He has submitted further that Ariyari P.S. Case No. 14 of 2021 was registered after seven days of the present F.I.R.

It appears that cognizance has already been taken, as such, the appellant is directed to surrender before the court



below and make a prayer for regular bail, which shall be consider and disposed of on the same day of its filing without being prejudiced by this order.

With these observations, the appeal is disposed of.

Office shall ensure that all the defects are removed by the appellant within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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