

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.3771 of 2022**

Arising Out of PS. Case No.-27 Year-2022 Thana- SC/ST District- Patna

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VIJAY KUMAR SINGH @ VIJAY SINGH Son of Late Jangal Singh Village  
- Akhtiyarpur, P.S.- Paliganj, District - Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Ghanshyam Prasad Sinha, Advocate  
For the Respondent/s : Mr. Binay Krishna, Spl. PP

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

2      07-12-2022                      Heard learned counsel for the appellant 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 23.09.2022 in A.B.P. No. 7054 of 2022 passed by the learned Special Judge S.C./S.T. (POA) Act, Patna in connection with S.C./S.T. (Patna) Case No. 27 of 2022 registered for the offences punishable under Sections 147, 148, 149, 447, 448, 341, 323, 325, 354, 504 and 506 of the Indian Penal Code as well as Sections 3(i)(r)(s)(w) (ii)/3(2) (va) of the SC/ST Act.

Learned counsel for the appellant submits that



appellant is a person clean antecedent and the informant alleges that appellant who is Chairman of Vyapar Mandal along with ten unknown accused entered her house and started abusing and assaulting her and her family members with bamboo as a result of which they sustained injury and daughter of the informant sustained fracture in her finger and the accused persons also snatched ornaments.

Learned counsel for the appellant submits that appellant has been falsely implicated in the present case and from perusal of the allegations as alleged in the FIR it would manifest that the allegations are general and omnibus in nature i.e., no specific allegation has been alleged against any of the accused persons that who assaulted and who abused, it is next submitted that informant being a night guard and was staying in the premises of Vyapar Mandal and was asked to vacate the premises on which the present false case came to be instituted. Learned counsel next submits that from perusal of Annexure-7 it would manifest that an option was also given to the informant that Vypapar Mandal would pay her dues of Rs. 50,000/- and would also help her in getting benefits of Indira Awas Scheme and the said decision was taken in presence of the Revenue Officer, Paliganj and other officials of the State Government



including the informant but thereafter the present case came to be instituted by way of afterthought to create pressure so that the informant is not asked to vacate the premises of Vyapar Mandal where she is residing unauthorizedly, it is next submitted that even the allegation of assault is general and omnibus in nature which further creates doubt with regard to the veracity of the allegations and participation of the present appellant.

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

In view of the submissions made by the learned counsel for the appellants, the order dated 23.09.2022 in A.B.P. No. 7054 of 2022 passed by the learned Special Judge S.C./S.T. (POA) Act, Patna in connection with S.C./S.T. (Patna) Case No. 27 of 2022 is hereby set aside and the 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 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 S.C./S.T. (Patna) Case No. 27 of 2022 subject to the conditions as laid down



under Section 438 (2) of the Cr.P.C.

Accordingly the appeal stands allowed.

**(Satyavrat Verma, J)**

Rishi/-

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