

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1003 of 2023

Arising Out of PS. Case No.-19 Year-2022 Thana- SC/ST District- Saran

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1. SHRIMATI MANJU DEVI @ MANJU DEVI WIFE OF SHREE BASANT NARAYAN SINGH @ BASANT NARAYAN SINGH @ BHOLA SINGH R/O VILLAGE- DUMARI BUZURG, P.S.- NAYAGAON, DISTRICT- SARAN
 2. SHREE BASANT NARAYAN SINGH @ BASANT NARAYAN SINGH @ BHOLA SINGH SON OF LATE DWARIKA SINGH R/O VILLAGE- DUMARI BUZURG, P.S.- NAYAGAON, DISTRICT- SARAN
 3. SHREE NIRAJ KUMAR @ NIRAJ KUMAR @ GOLU SON OF SHREE BASANT NARAYAN SINGH @ BASANT NARAYAN SINGH @ BHOLA SINGH R/O VILLAGE- DUMARI BUZURG, P.S.- NAYAGAON, DISTRICT- SARAN
 4. SHREE DHIRAJ @ DHIRAJ KUMAR @ GANESH SON OF SHREE BASANT NARAYAN SINGH @ BASANT NARAYAN SINGH @ BHOLA SINGH R/O VILLAGE- DUMARI BUZURG, P.S.- NAYAGAON, DISTRICT- SARAN

... .. Appellant/s

Versus

1. The State of Bihar BIHAR
2. NIPPU SANJEEV REDDY SON OF BALESHWAR RAM R/O VILLAGE- SABAICH, SONEPUR, P.O. AND P.S.- SONEPUR, DISTRICT- SARAN

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Manish Chandra Gandhi
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 16-08-2023 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

2. Though, Vakalatnama has been filed on behalf of the
respondent no.2, but nobody appears on his behalf.

3. This is an appeal under Section 14(A)(2) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act,



1989 (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer of anticipatory bail vide order dated 05.01.2023 passed by learned Additional Sessions Judge-3rd, Saran in connection with SC/ST P.S. Case No.19 of 2022, registered under Sections 420 and other allied Sections of the Indian Penal Code and Section 3(i) (r)(s)/3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

4. Allegedly, the appellants in collusion with each others are said to have committed fraud with the informant. They took Rs.4,50,000 from the informant on the pretext of property business. It is also alleged that the accused persons assaulted and abused the informant by caste name.

5. It is submitted by learned counsel for the appellants that the appellants have no concern with the aforesaid occurrence. They have been falsely implicated in the case due to dirty village politics. The allegation of assault levelled against the appellants is not specific rather general and omnibus in nature. There is no specific allegation levelled against the appellants to abuse the informant by taking caste name. There is no specific overt act against the appellants. He further submits that there is a money dispute between the parties. Appellants have no



criminal antecedent as mentioned in para-3 of memo of appeal.

6. Learned Spl. PP for the State opposed the prayer for bail.

7. In the facts and circumstances of the case as this is a case of money dispute between the parties, let the above named appellants, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-3rd, Saran in connection with SC/ST P.S. Case No.19 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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

(Anjani Kumar Sharan, J)

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