

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1582 of 2022

Arising Out of PS. Case No.-38 Year-2020 Thana- SC/ST District- Muzaffarpur

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RANJEET SAHNI Son of Ramchandra Sahni Resident of village - Panapur, Gosai Tola, P.S.- Meenapur, District - Muzaffarpur.

... .. Appellant/s

Versus

1. The State of Bihar
2. Ganesh Ram Son of Late Sudhu Ram Resident of village - Panapur, Gosai Tola, P.S.- Meenapur, District - Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Yugal Kishore

For the Respondent/s : Mrs.Usha Kumari 1

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-02-2023 Heard learned counsel for the appellant and learned Special Public Prosecutor for the State.

Learned counsel for the appellant undertakes to remove the defects within four weeks.

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 03.02.2021 passed by learned Additional Sessions Judge-iii-cum-Special Judge, SC/ST Act, Muzaffarpur in connection with SC/ST P.S. Case No.38 of 2020, registered under Sections 341, 323, 147, 148, 379, 354, 504, 506 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.

The prosecution case, in brief, is that the appellant went to the house of the informant and asked to plough his field. The informant was not well, as such he denied, whereupon the appellant abused him by calling his caste name and other co-accused persons also abused the informant in filthy word and assaulted the informant and his daughter-in-law. They also took away ornaments and Rs.7000/- cash from the house of the informant.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. He has 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. He further submits that some of the co-accused persons have been granted bail by a co-ordinate Bench of this Court. Appellant has no criminal antecedent as mentioned in para-3 of this memo of appeal.

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



and submits that there is a specific allegation against the appellant to abuse the informant by taking his caste name.

Having regards to the facts and circumstances of the case, I am not inclined to enlarge the appellant on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

Accordingly, this appeal stands dismissed.

(Anjani Kumar Sharan, J)

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