

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.2091 of 2023**

Arising Out of PS. Case No.-431 Year-2022 Thana- PALIGANJ District- Patna

1. Bipin Kumar Son Ofudal Singh Resident Of Village- Parion, Ps- Paliganj, Distt- Patna
2. Chandan Kumar @ Chanwa Singh Son Of Late Chandeshwar Singh Resident Of Village- Parion, Ps- Paliganj, Distt- Patna
3. Raju Kumar @ Raju Singh Son Of Lala Singh Resident Of Village- Parion, Ps- Paliganj, Distt- Patna
4. Ravindra Kumar @ Sagar Singh Son Of Bimalleshwar Singh Resident Of Village- Parion, Ps- Paliganj, Distt- Patna
5. Birendra Kumar @ Sevak Singh Son Of Bimallesh Singh Resident Of Village- Parion, Ps- Paliganj, Distt- Patna
6. Pankaj Kumar @ Pankaj Kumar Singh Son Of Late Chandeshwar Singh Resident Of Village- Parion, Ps- Paliganj, Distt- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Satendra Rajak Son Of Late Bipat Rajak Resident Of Village- Parion, Ps- Paliganj, Distt- Patna

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr.Ranjay Kumar Singh  
For the Respondent/s : Mr.Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

4      13-09-2023      Learned counsel for the appellants does not want to press the anticipatory bail application with regard to appellant no. 6, namely, Pankaj Kumar.

2. Permission is granted.

3. Accordingly, this application with regard to appellant no. 6 is dismissed as not pressed.

4. Heard learned counsel for the appellants and learned Special Public Prosecutor for the State for consideration of bail



with regard to rest of the appellants.

5. Learned Special Public Prosecutor for the State has informed that in compliance of the order dated 09.08.2023, he has informed the informant/complainant but none is present on his/her behalf.

6. This is an appeal under section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer for bail vide order dated 24.03.2023, passed by learned Special Court SC/ST (POA) Act, Patna in connection with Paliganj P.S. Case No. 431 of 2022, registered under Sections 341,323, 354, 452,504, 34 of the IPC, Section 27 of the Arms Act and Sections 3(i) (r) (s) of SC/ST Act.

7. Appellants are said to have assaulted the informant and his wife and also abused him by taking caste name.

8. Learned counsel for the appellants submits that the appellants are innocent and have been falsely implicated in this case. He submits that there is general and omnibus allegation levelled against the appellants. He submits that there is no specific overt act against the appellants to abuse the informant by taking caste name. He submits that the occurrence took place



inside the house of the informant, therefore, no case under SC/ST Act is made out against the appellants. He submits that after investigation, the police has not filed the charge-sheet under Section 341 of the IPC and Section 27 of the Arms Act. He further submits that appellants have no criminal antecedent as stated in para-3 of this appeal.

9. However, learned Special P.P. for the State opposes the prayer for bail.

10. Considering the facts and circumstances of the case, 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 Special Judge SC/ST (POA) Act, Patna in connection with Paliganj P.S. Case No. 431 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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

**(Anjani Kumar Sharan, J)**

devendra/-

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