

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1814 of 2022

Arising Out of PS. Case No.-157 Year-2021 Thana- BARUN District- Aurangabad

-
-
1. BALWANT SINGH @ BALWANT KUMAR SINGH Son of Kapildev Singh Resident of Village - Pithanua, P.S.- Barun, District - Aurangabad.
 2. Jaswant Kumar Singh Son of Kapildev Singh Resident of Village - Pithanua, P.S.- Barun, District - Aurangabad.
 3. Sit Singh Son of Late Mungeswar Singh Resident of Village - Pithanua, P.S.- Barun, District - Aurangabad.
 4. Bitu Kumar Singh Son of Sanjay Singh Resident of Village - Pithanua, P.S.- Barun, District - Aurangabad.

... .. Appellant/s

Versus

1. The State of Bihar
2. Raju Kumar Ram Son of Late Kariman Ram R/o vill- Pithanua, P.S.- Barun, Dist- Aurangabad

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjay Kumar Sinha, Adv.
For the Respondent/s : Mr.Binay Krishna, Spl.PP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-01-2023 As per direction of this Court, notice was served upon respondent no.2 but nobody appears on behalf of respondent no.2

Heard the parties.

Learned counsel for the appellants 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 24.03.2022 passed by learned Court of 1st Additional District and Sessions Judge cum Special Judge (SC/ST Act), Aurangabad in connection with Barun P.S. Case No. 157 of 2021 registered under Sections 147, 148, 149, 341, 323, 324, 307, 427, 504, 506 of the Indian Penal Code and Section 3(i) (a) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The prosecution story is accused Anand Kumar Singh closed the way of general people by his tractor. On objection, he started to abuse the informant by taking his caste name. At the same time, the appellants came there armed with lathi, sword, pistol and started abusing and assaulting him due to which he got injured. They also abused women of his house and assaulted her with slap and fist. They broke his motorcycle and tempo.

It is submitted by learned counsel for the appellants that appellants are quite innocent persons and have committed no offence. They 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. They have been implicated in this case only with a view to



harass them. It is further submitted that similar situated co-accused persons have been granted anticipatory bail in Criminal Appeal (SJ) No. 901 of 2022 vide order dated 24.08.2022. Appellants have no criminal antecedent as mentioned in para-3 of memo of appeal.

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

In the facts and circumstances of the case, 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 1st Addl. District and Sessions Judge cum Special Judge (SC/ST Act), Aurangabad in connection with Barun P.S Case No. 157 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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

(Anjani Kumar Sharan, J)

divyanshi/-

U		T	
---	--	---	--

