

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.2659 of 2023**

Arising Out of PS. Case No.-14 Year-2023 Thana- SC/ST District- Begusarai

1. DEEPAK KUMAR SON OF LATE RAM NATH SINGH RESIDENT OF VILLAGE- ROOP NAGAR, PS- BARAUNI (CHAKIA O.P.), DIST- BEGUSARAI
2. RANJEET KUMAR SON OF LATE RAM BALAK RAI RESIDENT OF VILLAGE- ROOP NAGAR, PS- BARAUNI (CHAKIA O.P.), DIST- BEGUSARAI
3. SANJEEV KUMAR @ SANJEEV KUMAR RAY SON OF LATE RAM BALAK RAI RESIDENT OF VILLAGE- ROOP NAGAR, PS- BARAUNI (CHAKIA O.P.), DIST- BEGUSARAI
4. SUDHIR SINGH @ SUDHIR KUMAR SINGH SON OF LATE RAMU SINGH RESIDENT OF VILLAGE- ROOP NAGAR, PS- BARAUNI (CHAKIA O.P.), DIST- BEGUSARAI
5. DILIP SINGH @ DILIP KUMAR RAY SON OF LATE RAM BAHADUR SINGH RESIDENT OF VILLAGE- ROOP NAGAR, PS- BARAUNI (CHAKIA O.P.), DIST- BEGUSARAI
6. ANJU SINGH @ RAMANUJ SINGH SON OF LATE SIYA RAM RAI RESIDENT OF VILLAGE- ROOP NAGAR, PS- BARAUNI (CHAKIA O.P.), DIST- BEGUSARAI
7. MANJIT RAI SON OF RAM KUMAR RAI @ RAM KUMAR SINGH RESIDENT OF VILLAGE- ROOP NAGAR, PS- BARAUNI (CHAKIA O.P.), DIST- BEGUSARAI

... .. Appellants.

Versus

1. The State of Bihar
2. SHALIGRAM RAJAK SON OF BANGALI RAJAK RESIDENT OF VILLAGE- ROOPNAGAR, PS- BARAUNI, DIST- BEGUSARAI

... .. Respondents.

**Appearance :**

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| For the Appellant/s     | : | Mr. Shubhesh Pandey, Advocate     |
| For the Respondent/s    | : | Mrs. Usha Kumari-1, Special P.P.  |
| For the Respondent No.2 | : | Mr. Hare Krishna Prasad, Advocate |

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

- 3      20-09-2023      Although this appeal has been listed under the heading 'For Orders (On Office Notes)' but as the learned counsel for the respondent no.2, who has already filed the vakalatanama and is present before the Court, with his consent, this appeal has been



heard for final disposal at this stage itself.

2. Heard learned counsel for the appellants and learned Special Public Prosecutor for the State assisted by learned counsel for the respondent no.2.

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 10.05.2023 passed by learned Special Judge (SC/ST Act), Begusarai in connection with SC/ST P.S. Case No. 14 of 2023 registered under Sections 341, 323, 427, 379, 504 & 506/34 of the Indian Penal Code and Section 3(1) (r) (w) (x) (s) 3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

4. While the informant was at home, all the appellants are said to have come there and abused the informant by his caste name and assaulted him and his family members. They also assaulted the other persons who came in his rescue. They also looted away household articles.

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. The allegation of assaulting the informant is not specific rather general and omnibus in nature. Slating the informant in the name of caste is said to have been made at the house of the informant and not in public view, hence no offence under SC/ST Act is made out against the appellants. There is inordinate delay of ten days in lodging the case without assigning any plausible explanation for the said delay which creates serious doubt about the prosecution case. Appellant nos.4, 5, 6 and 7 have no criminal antecedent, whereas appellant nos.1 and 3 have two criminal antecedents 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, 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 Act), Begusarai in connection with SC/ST P.S. Case No.14 of 2023, 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)**

Trivedi/-

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