

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2790 of 2023

Arising Out of PS. Case No.-178 Year-2023 Thana- ROH District- Nawada

RANVIR PURI son of Shanker Puri Village- Korma Hargawan Ps- Belaganj Dist- Gaya at present- Lipik in the prakhand office Roh Ps-Roh, Dist- Nawada

... .. Appellant/s

Versus

1. The State of Bihar
2. Kumar Ashiwani son of Late Rajendra Kumar The block Development officer, Roh Block Ps- Roh Dist- Nawada R/o- Karbahkar Ps- Karpi Dist- Arwal

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Arvind Kumar Singh, Adv.
For the State	:	Mr.Sadanand Paswan, Spl.P.P.
For the Respondent No.2:		Mr.D.K.Sinha, Sr. Advocate
		Mr.Alexander Ashok, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 11-10-2023 Heard learned counsel for the appellant, learned Spl.P.P.

for the State and learned Senior Counsel for respondent no.2.

2. 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 anticipatory bail vide order dated 05.06.2023, passed by learned Incharge Special Judge, Exclusive Special Court, SC/ST (POA) Act, Nawada, in connection with Roh P.S. Case No.178 of 2023, registered u/s 341, 323, 504 and 506 of IPC and 3(i)(r)(s) of the SC/ST Act.

3. Allegation upon the appellant is that he entered into the



Chamber of the informant (B.D.O.) without any permission in drunken and angry condition and abused the informant by taking caste name and also attacked him. It is alleged that the appellant used criminal force to defer the informant in discharge of his duty.

4. It is submitted by learned counsel for the appellant that the appellant is innocent and has not committed any offence. No such occurrence, as alleged has ever taken place. Appellant has been falsely implicated in the case with frivolous allegation. It is submitted that the appellant went to the office of the informant for some work and only a heated altercation took place between the parties and there is no allegation against the appellant to abused the informant by taking caste name. It is further submitted that no offence under the SC/ST Act is made out against the appellant as the occurrence is not said to have taken place in a public place. The appellant has already been suspended by the Department. Appellant has no criminal antecedent.

5. Learned Spl. PP for the State and learned Senior Counsel for the respondent no.2 opposed the prayer for anticipatory bail by submitting that the allegation against the appellant is true.

6. Considering the facts and circumstances of the case, since



the appellant has been suspended by the Department, the appellant named above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on furnishing bail bond of Rs.25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Incharge Special Judge, Exclusive Special Court, SC/ST (POA) Act, Nawada, in connection with Roh P.S. Case No.178 of 2023, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

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

(Anjani Kumar Sharan, J)

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