

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2865 of 2023**

Arising Out of PS. Case No.-8 Year-2023 Thana- SC/ST District- Vaishali

PREM KUMAR @ DABLU SINGH SON OF RAMNATH SINGH
RESIDENT OF VILLAGE- PAKRI KANTH (RAMNAGAR), PS
-LALGANJ ,DISTRICT- VAISHALI

... .. Appellant/s

Versus

1. The State of Bihar
2. SUDAMA PASWAN SON OF MEGHNATH PASWAN RESIDENT OF
VILLAGE- PAKRI KANTH (RAMNAGAR), PO AND PS -LALGANJ
,DISTRICT- VAISHALI

... .. Respondent/s

Appearance :

For the Appellant	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Anish Kumar, Advocate
For the Respondent No.2:	:	Mrs. Kanchan Kumari, Advocate
For the State	:	Mr. Binay Krishna, Special P.P.

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

4 29-11-2023 Heard Mr. N.K. Agrawal, learned senior counsel

assisted by Mr. Anish Kumar, learned Advocate for the appellant

and learned Special Public Prosecutor for the State assisted by

learned counsel for the respondent no.2.

2. 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 04.03.2023 passed by learned Special Judge
(SC/ST Act), Hajipur at Vaishali in connection with SC/ST P.S.



Case No. 08 of 2023 registered under Sections 341, 323, 447, 389, 354, 385, 504 & 506/34 of the Indian Penal Code and Section 3(1) (r) (s) (a) 3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. The allegation against the appellant is that he along with other abused the informant by taking his caste name. They beaten him with riffle butt and injured him.

4. It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. He has been falsely implicated in the case due to ulterior motive. The allegation of assault levelled against the appellant is not specific rather general and omnibus in nature. It is further submitted that informant is in habit of filing false cases of taking benefit of the member of the schedule caste. Appellant has no criminal antecedent.

5. Learned Spl. PP assisted by learned counsel for the respondent no.2 opposed the prayer for bail submitting that there is specific allegation against the appellant of abusing by taking caste name of the informant.

6. Having heard learned counsel for the parties and perusing the materials available on record, as there is specific allegation against the appellant, I am not inclined to enlarge the



appellant on bail. The prayer for bail is hereby rejected.

7. Accordingly, this appeal is dismissed.

(Anjani Kumar Sharan, J)

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