

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2696 of 2022

Arising Out of PS. Case No.-7 Year-2022 Thana- SC/ST District- Samastipur

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KESHAV KUMAR SINGH @ KESHAV KUMAR S/o Late Triveni Singh
Resident of Village- Boriadih, P.S.- Bibhutipur, District- Samastipur.

... .. Appellant/s

Versus

1. The State of Bihar
2. Puja Devi W/o Mohan Ram Resident of Village- Boriadih, P.S.- Bibhutipur,
District- Samastipur.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Suneil Kumar Thakur, Advocate
For the Respondent/s : Ms. Usha Kumari 1, Special P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 21-07-2023 1. Heard learned counsel for the appellant and learned
Spl. P.P. for the State.

2. The learned Special P.P. submits that in terms of the
order dated 18.05.2023, the S.P. of the concerned district was
informed that presence of the informant is required in the
present case.

3. The notice is deemed to be validly served.

4. No one appears on behalf of the informant.

5. This is an appeal under Section 14-A(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST
Act”) against the refusal of prayer for anticipatory bail vide



order dated 07.07.2022 in A.B.P. No. 1755 of 2022 passed by the learned Special Judge S.C./S.T. (POA) Act, Samastipur in connection with SC/ST P.S. Case No. 07 of 2022 registered for the offences punishable under Sections 147, 149, 341, 323, 354B, 379, 504, 506 of the Indian Penal Code as well as Sections 3(1)(r)(s)(w) and 3(2) (va) of the SC/ST Act.

6. Learned counsel for the appellant submits that the appellant has antecedent of one case and the case of the prosecution in short is that the accused persons including the appellant assaulted the informant and abused her by taking her caste name.

7. Learned counsel for the appellant submits that the appellant has been falsely implicated in the present case, it is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the date of occurrence is 16.12.2021 and the F.I.R. came to be instituted after an inordinate delay of nearly one month i.e. on 19.01.2022 without any plausible explanation.

8. Learned Spl. P.P. for the State opposes the prayer for anticipatory bail of the appellant.

9. In view of the submissions made by the learned counsel for the appellant, the order dated 07.07.2022 in A.B.P.



No. 1755 of 2022 passed by the learned Special Judge S.C./S.T. (POA) Act, Samastipur **in connection with SC/ST P.S. Case No. 07 of 2022 is hereby set aside** and the appellant above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with SC/ST P.S. Case No. 07 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

10. Accordingly, the appeal stands allowed.

(Satyavrat Verma, J)

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