

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2890 of 2022

Arising Out of PS. Case No.-150 Year-2022 Thana- ARIYARI District- Sheikhpura

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1. RAVINDRA KUMAR Son of Surendra Raut Resident of village - Kasar, P.S.- Ariari, District – Sheikhpura.
 2. Dharmendra Kumar Son of Surendra Raut Resident of village - Kasar, P.S.- Ariari, District – Sheikhpura.
 3. Pankaj Kumar Son of Bhola Raut Resident of village - Kasar, P.S.- Ariari, District – Sheikhpura.
 4. Ravi Kumar Son of Kuwar Raut Resident of village - Kasar, P.S.- Ariari, District – Sheikhpura.
 5. Birendra Kumar Son of Surendra Raut Resident of village - Kasar, P.S.- Ariari, District – Sheikhpura.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Vikash Kumar Son of Sri Janardan Ravidas Resident of village - Kasar, P.S.- Ariari, District – Sheikhpura.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Bijendra Kumar
For the Respondent/s	:	Mr.Yogendra Kumar Singh
For Res. No.2	:	Mr. Birendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 12-01-2023 Heard learned counsel for the appellants and learned Special Public Prosecutor for the State and learned Counsel respondent No. 2

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 of anticipatory bail vide order dated 29.07.2022, passed by learned Additional District and Sessions



Judge, 1st, Sheikhpura in connection with Ariari (Kasar) P.S. Case No.150 of 2022 (SC/ST Case No.53 of 2022), registered under Sections 147, 148, 149, 341, 323, 325, 307, 354(B), 448, 427, 379, 504, 506 of the Indian Penal Code and Sections 3(1)(r)(s)(w)(i)/3(2)(va) of the SC/ST Act.

Learned counsel for the appellants submits that the appellants are innocent and have falsely been implicated in the present case. It is submitted that the appellants have got no criminal antecedent as stated in paragraph-3 of the memo of appeal. It is further submitted that there is general and omnibus allegation against the appellants. It is submitted that there is case and counter case between the parties and both sides sustained injuries. It is further submitted that from perusal of the injury report enclosed with the case diary, it is clear that injuries are simple in nature. It is submitted that the appellants are said to have abused the informant and his family members by naming his caste, but occurrence took place inside the house and not in public view, therefore, no case is made out under the provisions of SC/ST Act.

Learned Special P.P. for the State and learned counsel for the respondent No. 2 opposed the prayer for anticipatory bail of the appellants.



Having considered the facts aforesaid, let appellants, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be released on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge, 1st, Sheikhpura in connection with Ariari (Kasar) P.S. Case No.150 of 2022 (SC/ST Case No.53 of 2022), subject to the conditions 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)

S.KUMAR/-

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