

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.2964 of 2022**

Arising Out of PS. Case No.-85 Year-2022 Thana- BASOPATTI District- Madhubani

SUMAN KUMAR SINGH @ SACHIN SINGH Son of Mohan Prasad Singh  
@ Mohan Singh Resident of Village - Chachraha, P.S.- Basopatti, District -  
Madhubani.

... .. Appellant/s

Versus

1. The State of Bihar
2. Rahul Paswan Son of Late suraj Paswan Resident of Village - Chachraha,  
P.S.- Basopatti, District - Madhubani.

... .. Respondent/s

**Appearance :**

|                      |   |                                     |
|----------------------|---|-------------------------------------|
| For the Appellant/s  | : | Mr.Subhash Kumar Jha, Adv.          |
| For the Respondent/s | : | Mr. Bimal Kumar, Spl.PP.            |
|                      |   | Mr. Manibhushan Pratap Sengar, Adv. |
|                      |   | Mr. Sadanand Paswan, Adv.           |

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

2      28-06-2023      Heard the parties.

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 27.07.2022 passed by learned Additional Sessions Judge 1st-cum-Special Judge, Madhubani in connection with Basopatti P.S. Case No. 85 of 2022 registered under Sections 323, 341, 379, 427, 504, 506/34 of the Indian Penal Code and Section 3(1) (r) (s)/3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



Allegedly, the appellant along with accused persons came at the house of informant and started damaging the house of the informant. On objection, they abused the informant by taking his caste name and threatened him of dire consequences. They also assaulted him and snatched his golden chain. In the meantime, some villagers reached there and caught co-accused Jitendra Singh and Amit Singh and handed over them to police.

It is submitted by learned counsel for the appellant that appellant is quite innocent and has committed no offence. No such occurrence as alleged ever took place. It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. He has been falsely implicated in the case due to ulterior motive. The allegation of assault levelled against the appellants is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. Appellant has no criminal antecedent as mentioned in para-3 of this memo of appeal.

Learned Spl. PP for the State as well as learned counsel for the informant vehemently opposing the prayer for bail submitted that from perusal of record, it is evident that there is specific allegation of abusing by taking caste name against the appellant.



In the facts and circumstances of the case, as there is specific allegation of abusing by taking caste name against the appellant, I am not inclined to enlarge the appellant on bail. The prayer for bail is hereby rejected.

Accordingly, this appeal is dismissed.

**(Anjani Kumar Sharan, J)**

divyanshi/-

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