

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4331 of 2021**

Arising Out of PS. Case No.-172 Year-2020 Thana- JAMUI District- Jamui

SUDHANSHU SINGH @ SUDHANSHU KUMAR Son of Rajiv Kumar
Singh Resident of Village - Lakhanpur, P.S. - Jamui, District - Jamui.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shashank Shekhar
For the Respondent/s : Mrs. Usha Kumari 1

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

5 30-08-2023 Heard learned counsel for the appellant and learned Special
Public Prosecutor for the State.

2. As the informant is a police officer, hence he is represented by
the learned Special Public Prosecutor for the State.

3. 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
04.09.2021 passed by learned 1st Additional Sessions Judge,
Jamui in connection with Jamui P.S. Case No. 172/2020
registered under Sections 147, 148, 149, 302, 307, 504 & 506 of
the Indian Penal Code and Section 3 (2) (v) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act.

4. The allegation against the appellant is that he has caught hold



the deceased.

5. It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case due to dirty village politics. It is further submitted that due to cutting of babul tree for the purpose of making it cricket wicket the present altercation took in between the parties and both sides started brick batting and persons of both sides got injury and deceased died in course of quarrel. The allegation levelled against the appellant is not specific rather general and omnibus in nature. The specific allegation of assaulting is against Chandan Singh. Appellant has no criminal antecedent as mentioned in para-3 of this memo of appeal.

6. Learned Spl. PP for the State opposed the prayer for bail.

7. Considering the arguments of the parties and after perusing the case diary, it appears that no specific overt act has been attributed against the appellant. In such view of the matter, let the above named appellant, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the



learned 1st Addl. Sessions Judge, Jamui in connection with
Jamui P.S. Case No.172/2020, subject to the condition as laid
down under Section 438 (2) of the Cr.P.C.

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

(Anjani Kumar Sharan, J)

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