

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3744 of 2023

Arising Out of PS. Case No.-191 Year-2023 Thana- DORIGANJ District- Saran

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1. MUNNA SINGH @ VISHWAJIT KUMAR SINGH S/O LATE BAIJNATH SINGH R/O VILLAGE- CHIRAND, PS. DORIGANJ, DIST. SARAN AT CHAPRA (BIHAR)
 2. ARVIND SINGH S/O LATE BAIJNATH SINGH R/O VILLAGE-CHIRAND, PS. DORIGANJ, DIST. SARAN AT CHAPRA (BIHAR)
 3. AMRIT KUMAR SINGH @ AMRIT SAGAR S/O ARVIND SINGH R/O VILLAGE- CHIRAND, PS. DORIGANJ, DIST. SARAN AT CHAPRA (BIHAR)

... .. Appellant/s

Versus

1. The State of Bihar
2. DIPU KUMAR S/O ASHOK MANJHI R/O VILLAGE- CHIRAND, PS. DORIGANJ, DIST. SARAN AT CHAPRA (BIHAR)

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Jagannath Singh, Adv. Mr. Rakesh Kumar, Adv. Ms. Jyoti Joshi, Adv.
For the Respondent/s	:	Mr. Sadanand Paswan, Spl.PP. Mr. Nalin Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-11-2023 Heard learned counsels for the parties.

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 20.07.2023 passed by learned III Additional Sessions Judge cum SC/ST/MP/MLA Judge Saran at Chapra in connection with Doriganj P.S. Case No. 191 of 2023 registered under Sections



341, 323, 504, 34 of the Indian Penal Code and Section 3(1)(r)/3(1)(s)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. Allegedly, on 10.06.2023, when the informant went to Arvind Singh to demand his wages, all the FIR named accused persons started abusing him by taking his caste name. On protest, appellant no.1 assaulted the informant by means of a dab on his head, whereas appellant nos. 2 & 3 assaulted him with iron rod due to he sustained injury on his left ear and blood began to ooze out. Thereafter, appellant no.1 spat and peed upon the appellant's mouth.

4. It is submitted by learned counsel for the appellants that the appellants are quite innocent and have committed no offence. They have no concern with the aforesaid occurrence. They have been falsely implicated in the case due to dirty village politics. The allegation levelled against the appellant are totally false and based on concocted facts. There is case and counter case between the parties. Both sides have sustained grievous injuries. Appellants have no criminal antecedent as mentioned in para-3 of memo of appeal.

5. Learned Spl. PP for the State as well as learned counsel for the respondent no.2 opposed the prayer for bail.



6. In the facts and circumstances of the case, as both sides have sustained grievous injuries, the above named appellants, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned III Additional Sessions Judge cum SC/ST/MP/MLA Judge Saran at Chapra in connection with Doriganj P.S. Case No. 191 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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

(Anjani Kumar Sharan, J)

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