

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4495 of 2021

Arising Out of PS. Case No.-220 Year-2021 Thana- RIVILGANJ District- Saran

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1. Krishna Kumar Singh @ Krishna Singh S/o Rameshwar Singh @ Ram Ishwar Singh R/o village Methawaliya, P.S. Revilganj, District Saran at Chapra.
 2. Bablu Singh @ Prem Shankar Singh S/o Late Kamaldeo Singh R/o village- Methawaliya, P.S.- Revilganj, District- Saran at Chapra.
 3. Radhey Shyam Singh S/o Late Kanhaiya Singh R/o village- Methawaliya, P.S.- Revilganj, District- Saran at Chapra.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Urmila Devi Wife of Late Jagdish Sah Resident of Village-Methwalia,P.S- Revilganj,District-Saran at chapra.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Jeetendra Narayan
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 17-05-2023 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

In view of the earlier order dated 12.04.2023, the informant was informed about her appearance in this case by the learned Special P.P. for the State, but nobody has entered appearance on her behalf.

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



08.10.2021, passed by learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST (POA) Act, Saran at Chapra in connection with Revilganj P.S. Case No.220 of 2021, registered under Sections 448, 323, 504, 324 and 34 of the Indian Penal Code and Sections 3(i)(r)(s)/3(2)(va) of the SC/ST Act.

The appellants are said to have assaulted the son of the informant by means of Daab on his head causing injury to him. The informant was also assaulted by the appellants. It is further alleged that the appellants had abused the informant and his son by naming their caste.

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 criminal antecedents as stated in paragraph-3 of the memo of appeal. It is further submitted that the injuries sustained by the injured persons are simple in nature. It is also submitted that the occurrence took inside the house of the informant, therefore, no case is made out under the SC/ST Act.

Learned Special P.P. for the State opposed the prayer for grant of anticipatory bail to the appellants.

Considering the nature of injuries, 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 1st Additional Sessions Judge-cum-Special Judge, SC/ST (POA) Act, Saran at Chapra in connection with Revilganj P.S. Case No.220 of 2021, 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)

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