

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4569 of 2021

Arising Out of PS. Case No.-151 Year-2021 Thana- VISHNUPAD District- Gaya

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1. Piku Singh @ Kumar Vishwakant Son Of Ganesh Singh Resident Of Village - Kendui, P.S.- Magadh Medical, District - Gaya.
 2. Chhotu Singh @ Chandra Bhanu Pratap Singh Son Of Uday Pratap Singh @ Uday Singh Resident Of Village - Kendui, P.S.- Magadh Medical, District - Gaya.

... .. Appellant/s

Versus

1. The State of Bihar
2. Lakhman Manjhi Late Hari Manjhi Village-Baksubigha, P.S.-Vishnupad, District-Gaya

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ravindra Kumar Sinha
For the Respondent/s	:	Mr. Binay Krishna
		Mr. Vinod Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 09-08-2023 Heard learned counsel for the appellants, learned Special Public Prosecutor for the State and learned counsel for the respondent no. 2.

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 22.10.2021 passed by learned Special Judge, SC/ST Act, Gaya, in connection with Vishnupad P.S. Case No. 151 of 2021 registered under Sections 341, 323, 307, 379, 504,



506/34 of the Indian Penal Code and Section 3(i)(r)(s)/3(2)(v-a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. As per the prosecution case, the appellants are said to have abused and assaulted the informant.

4. Learned counsel for the appellants submits that the appellants have no concern with the aforesaid occurrence. There is no allegation of slating the informant in the specific name of his caste, hence, no offence under Section SC/ST Act is made out against the appellants. He submits that the injury was found simple in nature, a copy of the injury report is enclosed as Annexure-2 to the memo of the appeal. Appellants have got no antecedent as mentioned in para-3 of memo of the appeal.

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

6. Considering the facts and circumstances of the case and the nature of the injury, let 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 learned Special Judge, SC/ST Act, Gaya, in connection with Vishnupad P.S. Case No. 151 of 2021, 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)

anand/-

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