

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4792 of 2021

Arising Out of PS. Case No.-1 Year-2020 Thana- SC/ST District- Jehanabad

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1. ANIL SINGH Son of Late Rama Singh Resident of Village - Makhdumpur, P.S.- Arwal, District - Arwal.
 2. Sunil Singh Son of Late Rama Singh Resident of Village - Makhdumpur, P.S.- Arwal, District - Arwal.
 3. Sachin Kumar @ Banbari Son of Anil Singh Resident of Village - Makhdumpur, P.S.- Arwal, District - Arwal.

... .. Appellant/s

Versus

1. The State of Bihar
2. Kaveri Devi Wife of Sanjay Das Village - Makhadumpur, P.O., P.S. and District - Arwal

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Arvind Prasad Singh, Adv.
For the Respondent/s : Mr.Binay Krishna, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 26-07-2023 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

2. In compliance of the order of this Court, informant was informed about her appearance in this appeal by the learned Spl.P.P. for the State but nobody appears on her behalf.

3. This is an appeal under section 14 A (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer for anticipatory bail vide order dated 20.10.2020, passed by learned Additional Sessions Judge- Ist,



Jehanabad, in connection with Arwal SC/ST P.S. Case No.01 of 2020, registered u/s 147/148/149/341/323/379/504/506 of the IPC and sections 3(i)(r)(s) of the SC/ST Act.

4. As per the prosecution case, appellant no.1 assaulted the nephew of the informant and when her sister-in-law went to save him, the appellants and other accused persons abused and assaulted her.

5. It is submitted by learned counsel for the appellants that the appellants are innocent and have not committed any offence. No such occurrence, in the manner as alleged has ever taken place. Appellants have been falsely implicated in the case with frivolous allegation. It is submitted that no offence under the SC/ST Act is made out against the appellants there is no specific allegation against them to abuse the informant or her family by taking caste name. Appellants have no criminal antecedent.

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

7. Considering the facts and circumstances of the case, since there is general and omnibus allegation against the appellants, let the appellants named above, 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 bond of Rs.25,000/- (Rs. Twenty Five Thousand) each with two sureties



of the like amount each to the satisfaction of the learned Additional Sessions Judge- Ist, Jehanabad, in connection with Arwal SC/ST P.S. Case No.01 of 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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