

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3706 of 2022

Arising Out of PS. Case No.-70 Year-2022 Thana- KOPA District- Saran

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1. GOLU SINGH @ GOLU KUMAR SINGH Son of Dharmendra Singh R/V- Ram Nagar, P.S- Kopa, Dist- Saran
 2. Pankaj Singh @ Kali Singh Son of Arun Singh R/V- Ram Nagar, P.S- Kopa, Dist- Saran
 3. Yugal Singh @ Jugul Singh Son of Rabindra Singh R/V- Ram Nagar, P.S- Kopa, Dist- Saran
 4. Manoj Singh @ Manoj Kumar Singh Son of Raghubansh Singh R/V- Ram Nagar, P.S- Kopa, Dist- Saran

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Jaglal Ram Son of Sukhdeo Ram R/V- Ram Nagar, P.S- Kopa, Dist- Saran

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjay Kumar Jha

For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-01-2023 Heard learned counsel for the appellants and learned
Special P.P. for the State.

Despite information given by learned Special P.P. for the State regarding hearing of the case, none appears on behalf of the informant today.

This appeal is filed 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 17.08.2022, passed by learned Additional Sessions Judge, 3rd,



Saran at Chapra in connection with Kopa P.S. Case No.70 of 2022, registered under Sections 147, 148, 149, 341, 323, 427, 504, 447 of the Indian Penal Code and Sections 3(i)(r)(s) (w)/3(2)(Va) of the SC/ST Act.

The prosecution case, in brief, is that on 29.04.2022 there was skirmish in between Raj Narayan Ram and Kali Singh in which the bundle of wheat was put on fire. The fire brigade put off the fire. At the same time, there was hot exchange between the parties. On 30.04.2022, the appellants alongwith other co-accused persons armed with weapons came to the Dalit Basti and they abused the people by naming their caste. They also broke the articles kept there.

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 appellant no.2 has got one criminal antecedent whereas appellants no.1, 3 and 4 have got no criminal antecedent as stated in paragraph-3 of memo of appeal. It is further submitted that there is general and omnibus allegation against the appellants. The appellants have not abused anybody by naming their caste. It is further submitted that there is case and counter case between the parties.

Learned Special P.P. for the State opposed the prayer



for anticipatory bail of the appellants.

Having considered the facts aforesaid, 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 Additional Sessions Judge, 3rd, Saran at Chapra in connection with Kopa P.S. Case No.70 of 2022, 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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