

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4200 of 2023

Arising Out of PS. Case No.-206 Year-2020 Thana- AWTARNAGAR District- Saran

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Ankit Kumar Son Of Shailesh Singh @ Shailendra Singh Resident Of Village
- Ratanpura Basant, P.S. - Awatar Nagar, District - Saran At Chapra (BIHAR)
At Present Residing At House No.B-308, Barola Sector 49, Noida, P.S. -
Barbola Sector 49, District - Gautam Budha Nagar (U.P.)

... .. Appellant/s

Versus

1. The State Of Bihar
2. Rohit Kumar Son Of Awadhesh Manjhi Resident Of Village - Ramgarha,
P.S. - Awatar Nagar, District - Saran At Chapra (BIHAR)

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Rakesh Kumar
For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 20-12-2023 Heard learned counsel for the appellant and learned

Special Public Prosecutor for the State.

2. Learned Spl. PP for the State, in compliance of
order dated 18.10.2023, informed the informant/complainant.
Nobody appeared on behalf of the informant/complainant.

3. 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 22.08.2023 passed by learned Exclusive
Special Judge, SC/ST, Saran at Chapra, in connection with
Awatar Nagar P.S. Case No. 206 of 2020 registered under



Sections 147, 148, 149, 341, 323, 324, 307, 354(B), 379, 120(B), 504 & 506 of the Indian Penal Code and Section 3(i)(r) (s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

4. As per the FIR, the informant went to the house of the co-accused Santosh Singh with an application to avail the benefit of flood relief. Thereafter, co-accused Santosh Singh abused him by calling his caste name. Thereafter, other accused persons came there and they badly assaulted the informant and other members of SC/ST Caste.

5. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. He submits that there is no specific allegation against the appellant to abuse the informant. He submits that the place of occurrence is the house of co-accused Santosh Singh, which is not a public place nor falls within public view. Similarly situated co-accused has been granted anticipatory bail by this Court and co-ordinate bench of this Court vide order dated 31.08.2022, 04.01.2023, 01.02.2023, 24.04.2023 passed in Cr. Appeal (SJ) No. 3987 of 2021, Cr. Appeal (SJ) No.2109 of 2022, Cr. Appeal (SJ) No.732 of 2022, Cr. Appeal (SJ) No.3481 of 2022 respectively. The appellant has got no antecedent as



mentioned in para-3 of memo of the appeal.

6. Learned Spl. PP for the State opposes payer for anticipatory bail.

7. Considering the facts and circumstances of the case, let the above named appellant, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST, Saran at Chapra, in connection with Awatar Nagar P.S. Case No. 206 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)

anand/-

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