

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.87 of 2023

Arising Out of PS. Case No.-37 Year-2022 Thana- PALIGANJ District- Patna

NIRANJAN SINGH @ NIRANJAN KUMAR Son of Sri Ramadhar Singh @
Ramadhar Prasad Azad Resident of village- Sikaria, P.S.- Paliganj, District-
Patna

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Gori Kunwar D/O Late Rajnandan Manjhi Resident of Village- Dhibri, P.S.-
Paliganj, District- Patna

... .. Respondent/s

with

CRIMINAL APPEAL (SJ) No. 1063 of 2023

Arising Out of PS. Case No.-37 Year-2022 Thana- PALIGANJ District- Patna

1. SUDHAN SINGH @ RAJESH RANJAN S/O SRI RAMADHAR SINGH
@ RAMADHAR PRASAD AZAD Resident of Village- Sikaria, P.S.-
Paliganj, District- Patna.
2. LOVE KUMAR @ LOVE SINGH S/O ARVIND SINGH Resident of
Village- Sikaria, P.S.- Paliganj, District- Patna.
3. TINKU KUMAR @ ABHISHEK RAJ S/O SIDESHWAR SINGH Resident
of Village- Sikaria, P.S.- Paliganj, District- Patna.

... .. Appellant/s

Versus

1. The State of Bihar BIHAR
2. GORI KUNWAR D/O LATE RAJNANDAN MANJHI Resident of Village-
Dhibri, P.S.- Paliganj, District- Patna (Bihar).

... .. Respondent/s

Appearance :

(In CRIMINAL APPEAL (SJ) No. 87 of 2023)

For the Appellant/s : Mr.Sanjay Prasad

For the Respondent/s : Mr.Binay Krishna

(In CRIMINAL APPEAL (SJ) No. 1063 of 2023)

For the Appellant/s : Mr.Amitabh Rituraj

For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 28-06-2023 Heard learned counsel for the appellants and learned



Special Public Prosecutor for the State.

In view of the earlier order dated 03.05.2023, 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 18.10.2022, passed by learned Exclusive Special Judge, SC/ST, Patna in connection with Paliganj P.S. Case No.37 of 2022, registered under Sections 341, 323, 379, 452, 504 and 34 of the Indian Penal Code, Section 27 of the Arms Act as well as under Section 3(i)(r)(s) of the SC/ST Act.

The appellants are said to have assaulted the informant and her sons. It is also alleged that appellants have abused the informant by naming her caste.

Learned counsel for the appellants submits that appellants are innocent and have falsely been implicated in the present case. It is submitted that the appellants have got no criminal antecedent as stated in paragraph-3 of the memo of appeal. It is further submitted that earlier the appellants have



lodged case against the informant and others and thereafter the informant has filed the instant case against the appellants. It is also submitted that there is general and omnibus allegation against the appellants.

Learned Special P.P. for the State opposed the prayer for grant of anticipatory bail to the appellants by submitting that there is specific allegation against appellant, Niranjana Singh that he abused the informant by naming her caste.

Considering the fact that there is specific allegation against appellant, Niranjana Singh that he abused the informant by naming her caste, I am not inclined to enlarge appellant, Niranjana Singh @ Niranjana Kumar on anticipatory bail. Accordingly, the prayer for grant of anticipatory bail to appellant, Niranjana Singh @ Niranjana Kumar (Criminal Appeal (SJ) No.87 of 2023) is hereby rejected.

Accordingly, Criminal Appeal (SJ) No.87 of 2023 is dismissed.

So far as appellants, Sudhan Singh @ Rajesh Ranjan, Love Kumar @ Love Singh and Tinku Kumar @ Abhishek Raj are concerned, considering the fact that no specific overt act is alleged against them and there is case and counter case between the parties, let appellants, namely, Sudhan Singh @ Rajesh



Ranjan, Love Kumar @ Love Singh and Tinku Kumar @ Abhishek Raj, 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 Court of Exclusive Special Judge, SC/ST Act, Patna in connection with Paliganj P.S. Case No.37 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 Criminal Appeal (SJ) No.1063 of 2023 is allowed.

(Anjani Kumar Sharan, J)

S.KUMAR/-

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