

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.184 of 2021

Arising Out of PS. Case No.-121 Year-2019 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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1. Bikram Kumar Singh S/O Girish Kumar Singh Resident of Village-Dharampur Dakhili P.S.- Tajpur (Halai) District - Samastipur
 2. Abhishek Kumar Gaurav S/O Girish Kumar Singh Resident of Village-Dharampur Dakhili P.S.- Tajpur (Halai) District - Samastipur

... .. Appellant/s

Versus

1. The State of Bihar
2. Manju Devi W/O Nageshwar Paswan Resident of Village-Dharampur Dakhilee P.S.- Tajpur (Halai) District - Samastipur.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Pramod Kumar Singh
For the Respondent/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-10-2021

Re:- Interlocutory Application No. 1 of 2021

The present interlocutory application has been filed for condonation of delay in filing the present appeal.

On the ground mentioned in the Interlocutory Application, the same is allowed.

The appellants have challenged the order dated 17.03.2020 passed by the learned 1st Additional Sessions Judge, Samastipur in connection with Complaint Case No. 121 of 2019 instituted for the



offences under Sections 323, 379, 354, 504 of the Indian Penal Code and Section 3(1)(r)(s) of the SC & ST (Prevention of Atrocities) Act, 1989, whereby their prayer for being released on anticipatory bail has been rejected.

It is alleged that in the background of some land dispute between the parties, these appellants abused the complainant by calling her caste name. It is further alleged that accused persons also misbehaved with her and snatched gold ear ring and cash of rupees twenty thousands.

It appears from the order of the learned Special Judge, SC/ST Act dated 07.12.2019 that *prima facie*, the cognizance has been taken against the appellants under Sections 323, 379, 354, 504 of the Indian Penal Code and Section 3(1)(r)(s)(w) of the SC/ST (Prevention of Atrocities) Act and thereafter vide order dated 17.03.2020, the learned 1st Additional Sessions Judge, Samastipur has rejected the anticipatory



bail of the appellants.

In view of the above, this Court does not find any infirmity or illegality in the order of learned Court below.

Accordingly, the appeal with regard to the appellants for release of the appellants on anticipatory bail is rejected.

The appellants are directed to surrender before the Court below within a period of six weeks and pray for regular bail. It is expected from the learned Court below to consider the regular bail of the appellants in accordance with law, without being prejudiced by the order of this Court.

With the aforesaid observation/direction, the appeal stands disposed off.

(Sunil Kumar Panwar, J)

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