

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.727 of 2023**

Arising Out of PS. Case No.-516 Year-2022 Thana- GAYA MUFASIL District- Gaya

1. MRITUNJAY SINGH @ MRITUNJA KUMAR SINGH S/O GULAB SINGH Resident of village- Rashalpur, P.S.- Muffasil, District- Gaya.
2. SHIVSANKAR SINGH @ DILIP SINGH S/O BALIRAM SINGH Resident of village- Rashalpur, P.S.- Muffasil, District- Gaya.
3. RISHI SINGH @ NIRAJ SINGH S/O LATE UMESH KUMAR SINGH Resident of village- Rashalpur, P.S.- Muffasil, District- Gaya.
4. NIRAJ KUMAR @ NIRAJ SINGH S/O BIMLESH SINGH Resident of village- Rashalpur, P.S.- Muffasil, District- Gaya.
5. NASHIB SINGH @ RAJU KUMAR S/O MANORANJAN SINGH Resident of village- Rashalpur, P.S.- Muffasil, District- Gaya.
6. RUNJAY KUMAR @ RUNJAY SINGH S/O GULAB SINGH Resident of village- Rashalpur, P.S.- Muffasil, District- Gaya.
7. AAKASH ROUSHAN KUMAR @ CHHOTU SINGH S/O DINESH SINGH Resident of village- Rashalpur, P.S.- Muffasil, District- Gaya.

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. NIRANJAN DAS S/O RAJENDRA RAVIDAS Resident of village- Rasalpur, P.S.- Muffasil, District- Gaya.

... .. Respondent/s

**Appearance :**

|                      |   |                          |
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| For the Appellant/s  | : | Mr. Amrendra Kumar Singh |
| For the Respondent/s | : | Mr. Sadanand Paswan      |
|                      |   | Mr. Chhote Lal Mishra    |

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

4      23-08-2024      Heard learned counsels for the parties.

2.      Vide order dated 25.05.2023, the appeal as against the appellant no.5, Nashib Singh @ Raju Kumar was withdrawn as he has already been arrested. As such, this appeal is now being heard only with respect to appellant no.1, 2, 3, 4, 6 and 7.

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 04.01.2023, passed by learned Exclusive Special Judge (SC/ST Act), Jehanabad, in connection with Muffasil P.S. Case No. 516 of 2022, registered under Sections 304/34 of the Indian Penal Code and Section 3(i) (r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

4. As per the FIR, the father of the informant had gone to natural call but died due to coming in contact with electric current fixed by appellant no.1. When the informant got information of the alleged occurrence, he and others caught hold of appellant no.1. It is alleged that the rest of the appellants and other co-accused persons went there and rescued appellant no.1 and also abused the informant's side.

5. It is submitted by learned counsel for the appellants that the appellants have no concern with the aforesaid occurrence. They have been falsely implicated in the case due to dirty village politics. The allegation of assault levelled against the appellants is not specific rather general and omnibus in nature. There is no specific overt act against the appellants. He further submitted that the parties have compromised the matter and this statement is also not denied by the learned counsel for the



respondent no.2. Appellant nos.1, 4 and 7 have criminal antecedents and rest of the appellants have no criminal antecedent, as also mentioned in para-3 of memo of appeal.

6. Learned Spl. PP for the State as well as learned counsel for the respondent no.2 opposed the prayer for bail.

7. In the facts and circumstances of the case, the above named appellant nos.1, 2, 3, 4, 6 and 7, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (SC/ST Act), Jehanabad, in connection with Muffasil P.S. Case No. 516 of 2022, 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)**

shikha/-

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