

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.960 of 2024

Arising Out of PS. Case No.-308 Year-2023 Thana- ROHTAS District- Rohtas

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1. Nandan Singh Son of Sita Ram Singh Resident of Vill.-Samahuta, P.S.-Rohtas, Distt.-Rohtas
 2. Ujjawal Singh @ Golu Singh Son of Nandan Singh Resident of Vill.-Samahuta, P.S.-Rohtas, Distt.-Rohtas

... .. Appellant/s

Versus

1. The State of Bihar
2. Sharda Devi Wife of Surendra Kumar Paswan Resident of Vill.-Samahuta, P.S.-Rohtas, Distt.-Rohtas

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Kamla Kant Pandey, Advocate
For the Respondent/s	:	Ms. Usha Kumari 1, Spl. Public Prosecutor Mr. Rajani Kant Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 26-09-2024 Heard learned counsel for the appellants, respondent
No. 2 and State.

2. This appeal has been filed against the order dated 25.01.2024 passed by learned Additional District and Sessions Judge- 17th-cum-Special Court, SC/ST in connection with Rohtas P.S. Case No. 308 of 2023, registered under Sections 341, 323, 354/34 of the Indian Penal Code and Section 3(i)(r) (s)/3(ii)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellants has been rejected.



3. Prosecution case, in brief, is that on 01.11.23 at 6 PM, all the F.I.R. named accused persons including these appellants abused informant by caste name and assaulted with slippers.

4. Learned counsel for the appellants submits that appellants have falsely been implicated in this case due to land dispute between the parties. Allegation of assault is general and omnibus. F.I.R. does not reveal presence of any member of public when the alleged incident occurred, as such, no offence under SC/ST Act is made out against appellants. Appellants claim clean antecedent.

5. Learned Spl. Public Prosecutor for the State as well as learned counsel for the respondent No. 2 vehemently opposed the bail application.

6. Considering the aforesaid facts, let the appellants, as named above, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional District and Sessions Judge- 17th-cum-Special Court, SC/ST in connection with Rohtas P.S. Case No. 308 of 2023.

7. Accordingly, this criminal appeal is allowed and impugned order dated 25.01.2024 is set aside with respect to



these appellants only.

(Prabhat Kumar Singh, J)

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