

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1462 of 2024

Arising Out of PS. Case No.-661 Year-2023 Thana- GARKHA District- Saran

Ranjit Kumar Singh @ Ranjit Singh Son Of Jai Prakash Singh Resident Of
Village - Maiki, P.S. - Garkha, District - Saran At Chapra (BIHAR)

... .. Appellant/s

Versus

1. The State of Bihar
2. Kushmi Devi Wife Of Pujan Ram Resident Of Village - Madarpur, P.S. -
Bheldi, District - Saran At Chapra (BIHAR)

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Rakesh Kumar, Adv.
For the Respondent/s	:	Ms. Usha Kumari 1, Spl. P.P.
		Mr. Amarendra Narayan, Adv.
		Mr. Deepak Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-08-2024 Heard learned counsel for the appellant, learned
Spl. Public Prosecutor appearing on behalf of the State and
learned counsel for the Respondent No. 2.

2. This appeal has been against the order dated
15.01.2024 passed by learned Exclusive Special Judge, SC/ST,
Saran at Chapra in connection with A.B.P. No. 4756 of 2023
arising out of Garkha P.S. Case No. 661 of 2023, registered
under Sections 341, 323, 504, 506, 34 of the Indian Penal Code
and Sections 3(i)(r)(s)/3(2)(va) of Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act, whereby the
prayer for anticipatory bail of appellant has been rejected.

3. It is alleged that all the F.I.R. named accused persons



including this appellant abused informant by her caste name and assaulted her with sword and *lathi-danda*, as a result of which, she sustained injuries.

4. Learned counsel for the appellant submitted that appellant is innocent and has falsely been implicated in the present case. Further, it is submitted that prior to this case, the brother of the appellant lodged Garkha P.S. Case No. 642 of 2021 against one Navin Kumar Singh and others, who are agnates of the appellant, in retaliation, said Navin Kumar Singh set up the informant to lodge the present case against the appellant and his family members in order to pressurize them. It is next submitted that allegation of assault against the appellant is general and omnibus. The injuries allegedly caused by this appellant is simple in nature. F.I.R. does not disclose that the alleged incident occurred within public view, as such, no offence under SC/ST Act is made out.

5. Learned Spl. Public Prosecutor for the State as well the counsel for the respondent no. 2 oppose the bail application.

6. Considering the aforesaid facts and circumstances, let the appellant, as named above, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Judge, SC/ST, Saran at Chapra in connection with A.B.P. No. 4756 of 2023 arising out of Garkha P.S. Case No. 661 of 2023.

7. Accordingly, the impugned order dated 15.01.2024 is set aside and this criminal appeal is allowed.

(Prabhat Kumar Singh, J)

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