

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1982 of 2024

Arising Out of PS. Case No.-629 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. Suresh Tanti son of Late Kaller Tanti Village- Bharra Po- Suja Ps- Muffasil Dist- Begusarai
 2. Ram Ratan Tanti @ Ratan Kumar Tanti son of Udgar Tanti Village- Bharra Po- Suja Ps- Muffasil Dist- Begusarai

... .. Appellant/s

Versus

1. The State of Bihar
2. Vina Bharti wife of Sri Sikandar Kumar Paswan Village- Sondipi Po- Dhaboli Ps- Bhukchit Dist- Begusarai

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Mukul Jee, Adv.
For the Respondent/s : Mr. Binay Krishna, Spl.PP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-07-2024 1. Heard learned counsel for the appellants and
learned Spl.P.P. for the State Mr. Binay Krishna.

2. 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 for **anticipatory bail** vide order dated 05.03.2024 in A.B.A. No. 245 of 2024 passed by the learned Exclusive Special Judge/Court SC/ST (POA) Act, Begusarai in connection with Muffasil P.S. Case No. 629 of 2023 registered under Sections 147, 148, 341, 323, 307, 447, 353, 379, 427, 120B, 504 and 149 of the Indian Penal Code and



Section 3(2)(v) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities Act).

3. Learned counsel for the appellants submits that appellants are persons with clean antecedent and have been falsely implicated in the instant case by the informant. It is next submitted that one Raj Mani Devi instituted Muffasil P.S. Case No. 593 of 2023 dated 12.10.2023 against Sikandar Paswan, the husband of the informant who is a headmaster and against him it was alleged that he behaved inappropriately with the girl's student of the school, on account of which the villagers had gathered and had assaulted him.

4. Learned counsel for the appellants submits that the instant FIR has been instituted by the informant falsely implicating the appellants as they were also part of the mob which had assaulted the husband of the informant for misbehaving with girl's child. It is next submitted that appellants themselves belong to the S.C. community, as such prima-facie no offence under the SC/ST Act is made out against the appellants. It is further submitted that as far as allegation of assault is concerned, it is submitted that husband of the informant was assaulted for misbehaving inappropriately with girl's student of the school of which he is headmaster.



5. Learned Spl.P.P. for the State opposes the prayer for anticipatory bail of the appellant.

6. Considering the submissions made by the learned counsel for the appellants, order dated 05.03.2024 in A.B.A No. 245 of 2024 passed by the learned Exclusive Special Judge/Court SC/ST (POA) Act, Begusarai in connection with Muffasil P.S. Case No. 629 of 2023, **is hereby set aside** and the appellants, above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Muffasil P.S. Case No. 629 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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