

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2333 of 2024

Arising Out of PS. Case No.-510 Year-2020 Thana- MASHRAK District- Saran

Harendra Kumar Son of Late Saryug Prasad Sinha Resident of Village -
Nawada, P.S.- Chandi, District- Nalanda.

... .. Appellant/s

Versus

1. The State of Bihar BIHAR
2. Jaymangal Paswan Not mentioned Resident of Village - Fakara Banch, P.S.-
Sonepur, District- Saran. Presented deputed at Mashrakh, P.S.- as Home
guard

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Nalin Kumar
For the Respondent/s	:	Mrs. Usha Kumari 1
		Mr. Ajay Kumar Singh No.1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 26-07-2024 Heard learned counsel for the appellant, learned counsel
for the respondent no.2 and learned Special Public Prosecutor
for the State.

2. 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 for bail vide order dated 02.05.2024 passed
by learned Exclusive Special Judge (SC/ST Act), Saran in
connection with Mashrakh P.S. Case No.510 of 2020, registered
under Sections 341, 307, 504 of the Indian Penal Code, Section
27 of Arms Act and Section 3(i) (r)/2 (va) of the Scheduled



Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. As per the FIR, the appellant abused the informant by taking his caste name and when the informant opposed then the appellant opened fire by means of fire arm.

4. It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case. There is no specific overt act against the appellant. The injuries are of simple nature. Appellant has no criminal antecedent.

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

6. In the facts and circumstances of the case and from the perusal of the records, it appears that the anticipatory bail application of the appellant was rejected by this Court on 15.01.2023 vide Cr. App. (SJ) No.1172 of 2021 with a direction to the appellant to surrender before the learned Court below within a period of six weeks. The appellant went to surrender before the Court below on 18.04.2024 i.e. after a delay of one year and two months, as such, I am not inclined to enlarge the appellant on bail. The prayer for bail is hereby rejected.

7. Accordingly, this appeal is dismissed.

8. However, the appellant would be at liberty to renew his



prayer for bail after framing of charge.

(Anjani Kumar Sharan, J)

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