

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3277 of 2024**

Arising Out of PS. Case No.-15 Year-2024 Thana- DHAKA District- East Champaran

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Bidhicha Sing @ Vidhichan Singh SON OF CHANDRADEEP SINGH @
CHANRDIP SING VILLAGE- VIKRAMPUR, WARD NO. 7, PS- DHAKA,
DIST- EAST CHAMPARAN

... .. Appellant/s

Versus

1. The State of Bihar
2. REENA Devi, CIRCLE OFFICER, DHAKA, PS- DHAKA, DIST- EAST
CHAMPARAN BIHAR

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Manoj Kumar
For the Respondent/s : Ms. Usha Kumari 1

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-07-2024 1. Heard learned counsel for the appellant and learned
Spl. P.P. for the State.

2. In view of the grounds taken in I.A. No. 01 of
2024, the same is allowed, accordingly, delay in filing the
appeal is condoned.

3. The learned counsel for the appellant submits that
appellant is a person with clean antecedent and has been falsely
implicated in the instant case by the informant who is Circle
Officer and alleges that on 08.01.2024, she reached village-
Bikrampur along with personnel from Revenue Department and
police for removing encroachment in compliance of the orders
passed by this Court, further when the informant and her team



reached the place of occurrence, the accused persons including the appellant and others unknown accused created obstacle during removal of the encroachment and also pelted stones and bricks and damaged the official vehicle of the informant and the driver of the informant was abused by his caste name.

4. Learned counsel for the appellant submits that from bare perusal of the allegation as alleged in the F.I.R., it would manifest that the allegation is general and omnibus in nature. It is further submitted that even allegation of abusing the driver of the informant by taking his caste name is not specific. It is next submitted that since the Circle Officer, in name of the compliance of the orders of this Court, was committing excess in removing encroachment even from places which were not encroached, as such, a mob had gathered and since appellant who is also a resident of a nearby place, as such, he had come to witness the occurrence.

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

6. In view of the submissions made by the learned counsel for the appellant, the order dated 27.02.2024 in A.B.P. No. 705 of 2024 passed by the learned Special Judge S.C./S.T. (POA) Act, East Champaran, Motihari in connection with



Dhaka P.S. Case No. 15 of 2024 registered for the offences punishable under Sections 147, 148 149, 341, 323, 353, 386, 387, 307, 354(B), 504, 506 and 427 of the Indian Penal Code as well as Sections 3(2)(v) of the SC/ST Act, is **hereby set aside** and the appellant above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Dhaka P.S. Case No. 15 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. Accordingly the appeal stands allowed.

(Satyavrat Verma, J)

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