

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4257 of 2023

Arising Out of PS. Case No.-154 Year-2023 Thana- RAJAPAKAR District- Vaishali

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1. Ram Prit Singh S/O Hriday Singh Village- Rajapakar, Ps- Rajapakar, Dist- Vaishali
 2. Randhir Kumar Son Of Ram Prit Singh Village- Rajapakar, Ps- Rajapakar, Dist- Vaishali

... .. Appellant/s

Versus

1. The State of Bihar
2. Rakesh Kumar Son Of Ranjit Ram Village- Ghataro, Ps- Kartaha, Dist- Vaishali

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sunil Kumar Singh
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 07-02-2024 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

2. Learned Spl. PP for the State, in compliance of
order dated 18.10.2023, informed the informant/complainant.
Nobody appeared on behalf of the informant/complainant.

3. 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 of anticipatory bail
vide order dated 18.08.2023 passed by learned Exclusive
Special Court (SC/ST Act) Vaishali at Hajipur, in connection



with Rajapakar P.S. Case No. 154 of 2023 registered under Sections 341, 323, 307, 379, 504, 506/34 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

4. As per the prosecution case, the appellants along with other co-accused persons are said to have assaulted and abused the informant.

5. Learned counsel for the appellants submits that the appellants are innocent and have falsely been implicated in the present case. There is no allegation of slating the informant in the specific name of his caste, hence, no offence under SC/ST Act is made out against the appellant. He submits that there is no specific overt act against the appellants. There is specific allegation against co-accused Ram Eakbal Singh. He further submits that injury was found simple in nature. Appellants have got no antecedent as mentioned in para-3 of memo of the appeal.

6. Learned Spl. PP for the State opposes the prayer for anticipatory bail.

7. Considering the facts and circumstances of the case, arguments of the parties and perusal of the case diary and injury report, it is found that the injury was simple in nature, let



the above named appellants, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court (SC/ST Act) Vaishali at Hajipur, in connection with Rajapakar P.S. Case No. 154 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. Accordingly, the impugned order is set aside and this appeal is allowed.

(Anjani Kumar Sharan, J)

anand/-

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