

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5022 of 2023

Arising Out of PS. Case No.-248 Year-2022 Thana- BARHARIA District- Siwan

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1. Babloo Singh @ Bikesh Kumar Son Of Late Prabhu Singh @ Prabhunath Singh Resident Of Village - Sundarpur, P.S. - Barharia, District - Siwan
 2. Ankesh Kumar @ Ankesh Singh Son Of Sunil Singh Resident Of Village - Sundarpur, P.S. - Barharia, District - Siwan
 3. Sunil Singh @ Sunil Kumar Son Of Shivjee Singh Resident Of Village - Sundarpur, P.S. - Barharia, District - Siwan

... .. Appellant/s

Versus

1. The State Of Bihar
2. Anil Ram Son Of Late Nagina Ram Resident Of Village - Sundarpur, P.S. - Barharia, District - Siwan

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ajay Kumar Pandey
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 20-09-2024 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 09.02.2024, 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 28.08.2023 passed by learned Additional
Sessions Judge-1st-cum-Special Judge, SC/ST Act, Siwan, in



connection with Barhariya P.S. Case No. 248 of 2022 registered under Sections 147, 447, 341, 323, 307, 504, 506 of the Indian Penal Code and Sections 3(1)(r) and 3(1)(s) of the SC/ST Act.

4. Allegedly, on 03.06.2022 at about 11:00 A.M., the appellants along with other accused persons, assaulted the wife of the informant. They also abused her by taking her caste name.

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 and his wife in the specific name of their caste. He submits that there is no specific weapon or injury has been attributed against the appellants. Similarly situated co-accused has been granted anticipatory bail by this Court vide order dated 21.06.2023 passed in Cr. Appeal (SJ) No. 4171 of 2022. Appellants have got no antecedent as mentioned in para-3 of memo of the appeal.

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

7. Considering the facts and circumstances of the case, 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 Additional Sessions Judge-1st-cum-Special Judge, SC/ST Act, Siwan, in connection with Barhariya P.S. Case No. 248 of 2022, 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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