

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5266 of 2023

Arising Out of PS. Case No.-291 Year-2023 Thana- PAROO District- Muzaffarpur

RAJESH SINGH @ RAJESH KUMAR SINGH Son of Kapildeo Singh R/o
vill - Mohjamma, P.S. - Paroo, Distt. - Muzaffarpur

... .. Appellant/s

Versus

1. The State Of Bihar
2. Ajay Das Son of Butan Das R/o vill - Mohjamma, P.S. - Paroo, Distt. - Muzaffarpur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Bhavesh Kumar
For the Respondent/s	:	Mr.Binay Krishna Ms. Bela Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 11-09-2024 1. Heard learned counsel for the appellant, learned Spl. P.P. for the State and learned counsel appearing on behalf of the Respondent No. 2.

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 6-10-2023 in A.B.P. No. 3159 of 2023 passed by the learned Special Judge S.C./S.T. (POA) Act, Muzaffarpur in connection with Paroo P.S. Case No. 291 of 2023 registered for the offences punishable under Sections 341, 323, 324, 506 and 504 of the Indian Penal Code as well as Sections 3(1)(r)(s) of



the SC/ST Act.

3. 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. It is further submitted that wife of the informant instituted Complaint Case No. 1143 of 2023 in the court of learned A.C.J.M, Muzaffarpur West. It is next submitted that appellant is a witness from the side of the wife of the informant in the aforesaid complaint case. It is further submitted that since the appellant is siding with the wife of the informant as such he came to be implicated in the instant case by the informant with an allegation that he assaulted but then the date of occurrence is 17-6-2023 and the FIR came to be instituted on 7-7-2023, i.e. after a delay of more than 20 days, which casts an aspersion on the case of the prosecution.

4. Learned Spl. P.P. for the State and learned counsel appearing on behalf of the respondent No. 2 opposes the prayer for anticipatory bail of the appellant.

5. Considering the aforesaid facts, let the appellant above-named, in the event of his 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 the aforesaid case, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. Accordingly, the impugned order is set aside and the appeal stands allowed.

(Satyavrat Verma, J)

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