

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1195 of 2024

Arising Out of PS. Case No.-88 Year-2023 Thana- SC/ST District- Rohtas

Umakant Singh son of Surya Deo Singh R/o Village -Hirapur, P.S.- Dawath,
Dist.- Rohtas

... .. Appellant/s

Versus

1. The State of Bihar
2. VIJAY BHARTI SON OF ANIL KUMAR RAM RESIDENT OF
VILLAGE- MAUDHA MAHUARI, PS- DAWATH, DISTT- ROHATAS

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sarvadeo Singh, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 10-09-2025 1. Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.
2. No one appears on behalf of the informant.
3. 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 03.02.2024 passed by the learned Special Judge
S.C./S.T. (POA) Act, Rohtas at Sasaram in connection with
Dehri SC/ST P.S. Case No. 88 of 2023 registered under Sections
341, 323, 385, 386, 504 and 506 of the Indian Penal Code as
well as Sections 3(1)(r)(s) and 3(2)(va) of the SC/ST Act.
4. Learned counsel appearing on behalf of the



appellant submits that appellant is a person with clean antecedent and the informant alleges that on 02.12.2023, at about 01:30 p.m., when he was returning after attending the work of Panchayat along with his wife, who is the Mukhiya of the Panchayat, when the appellant along with others all of a sudden appeared and threatened them with the arms and abused the informant by taking caste name and also demanded extortion of Rs.5 lakhs.

5. Learned counsel for the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is further submitted that the date of occurrence is 02.12.2023 and the FIR came to be instituted on 06.12.2023 i.e. after a delay of four days of the occurrence without any plausible explanation of delay. It is next submitted that even presuming what has been alleged is true without admitting then the FIR does not even remotely suggest that the occurrence was witnessed by any independent witnesses nor the FIR discloses that the occurrence took place in public view.

6. Learned Special Public Prosecutor opposed the prayer for anticipatory bail.

7. Considering the submissions, 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 the date of receipt of the order, be released on anticipatory bail on furnishing bail bond 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 in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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

(Satyavrat Verma, J)

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