

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1889 of 2024

Arising Out of PS. Case No.-55 Year-2023 Thana- SC/ST District- Vaishali

Sanjay Singh @Sanjay Kumar SON OF KAMESHWAR SINGH RESIDENT
OF VILLAGE- DHABAULI WARD NO. 3, PS- BIDUPUR, DIST-
VAISHALI

... .. Appellant/s

Versus

1. The State of Bihar
2. KALA DEVI WIFE OF LATE DINESH PASWAN RESIDENT OF
VILLAGE- SAHDULAH PUR, DHABAULI WARD NO. 3, PS- BIDUPUR,
DIST- VAISHALI

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Sunil Kumar Singh, Adv.
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. PP
For Resp. No.2	:	Mr. Mukesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 13-02-2025 Heard learned counsel for the parties.

2. This appeal has been filed against the order dated 16.03.2024 passed by learned Exclusive Special Court (SC/ST Act) Vaishali at Hajipur in A.B.P No. 402 of 2024 in Hajipur SC/ST P.S. Case No. 55 of 2023, registered under Sections 341, 323, 342, 354, 447, 504, 506 and 34 of the Indian Penal Code and Section 3(1)(r)(s)(w)(i)(ii), 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellant has been rejected.

3. As per prosecution case, on 11.12.2023 at about 5.00 P.M, when the informant was returning home after working, all



the accused persons including the appellant stopped her and abused her by taking caste name. On order of Pancha Devi, this appellant tore her clothes and physically assaulted her with first and slaps.

4. Learned counsel for the appellant submits that appellant is innocent and has committed no offence. The present case has been lodged at the instance of one Santosh Singh in whose house this informant was working as maid and appellant has land dispute with him and Bidupur P.S. Case No. 140 of 2010 is pending in the court of learned A.C.J.M. IV, Vaishali at Hajipur in which said Santosh Singh is a party. The present case has been lodged in order to put pressure upon the appellant and his family members to settle the civil dispute. It is not the case of complainant that the alleged incident occurred within public view as such, no offence under SC/ST Act is made out. Appellant claims clean antecedent.

5. Learned Spl. Public Prosecutor for the State as well as learned counsel for the respondent No. 2 vehemently opposed the bail application.

6. Considering the aforesaid facts, let the appellant, as named above, in the event of his arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing



bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Court (SC/ST Act) Vaishali at Hajipur in connection with Hajipur SC/ST P.S. Case No. 55 of 2023.

7. Accordingly, this criminal appeal is allowed and impugned order dated 16.03.2024 is set aside with respect to this appellant only.

(Prabhat Kumar Singh, J)

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