

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3479 of 2024

Arising Out of PS. Case No.-29 Year-2024 Thana- SC/ST District- Bhojpur

Ajeet Kumar Singh @ Ajeet Singh @ Ajit Kumar Son of Vijay Singh @ Vijay Kumar Singh R/O Vill.- Dhanpura, Post- Bachari, Thana- Piro, Bhojpur, Bihar- 802207

... .. Appellant/s

Versus

1. The State Of Bihar
2. Sajan Ram Ram Jiwan Ram Village- Semrawn, Post- Semrawn, P.S.- Charpokhari, Dist- Bhojpur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Dhananjay Kumar, Advocate
For the Resp. No. 2	:	Mr. Makardhwaj Upadhyay, Advocate
For the Respondent/s	:	Mrs. Usha Kumari 1, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 05-08-2025 Heard Mr. Dhananjay Kumar, learned counsel for the appellant, Mr. Makardhwaj Upadhyay, learned counsel for the Respondent No. 2 as well as Mrs. Usha Kumari-1, learned Special Public Prosecutor for the State.

2. This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 09.07.2024 in A.B.P. No. 1712 of 2024 passed by the learned 1st Additional Sessions Judge-cum- Special Judge, Schedule Caste/ Schedule Tribe Act, Bhojpur at Ara in connection with SC/ST P.S. Case No. 29 of 2024 registered under Sections 341, 323, 504 of the Indian Penal Code and



Sections 3(i) (r)(s), 3(2)(va) of SC & ST Act.

3. Allegation against the appellant is that he has assaulted the informant and abused him by saying his caste name.

4. Learned counsel for the appellant submits that the appellant has clean antecedent and he has been falsely implicated in the present case. In fact, before filing of the present F.I.R., the appellant has filed a Complaint Petition on 05.06.2024 before the Bihar Public Grievance Redressal Forum against the Medical Officer of Charpokhri C.H.C. and the present F.I.R. is instituted on the behest of said Medical Officer. Learned counsel for the appellant further submits that the appellant has already filed a complaint against the Medical Officer on 05.06.2024 and on the behest of the aforesaid Medical Officer, the informant has filed the present false F.I.R. against the appellant and no such occurrence has taken place as alleged in the F.I.R. and as per allegation in the F.I.R. the appellant has assaulted to the informant and also abusing by his caste name and it appears from the F.I.R. that such occurrence has taken place not in a public view and hence no case made out under the SC/ST Act and also there is no injury report on record which suggests that the informant has received any injury.



5. Learned counsel for the Respondent No.2 as well as learned Special Public Prosecutor for the State has vehemently opposed the prayer for anticipatory bail of the appellant and submits that the appellant is named in the F.I.R.

6. After hearing the parties, in my view for the purpose of this anticipatory bail, no offence under the provisions of Scheduled Casts and Scheduled Tribes Act is made out.

7. Considering the aforesaid facts and circumstances of the case, let the appellant, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge SC/ST Act, Bhojpur at Ara in connection with SC/ST Case No. 29 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 along with other following conditions :-

(1) Appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the appellant tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the appellant and in case at any stage, it is found that the appellant has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the appellant. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. Accordingly, the impugned order dated 09.07.2024 is set aside and this appeal stands allowed.

(Rajesh Kumar Verma, J)

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