

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5824 of 2019

Arising Out of PS. Case No.-38 Year-2019 Thana- SC/ST District- Rohtas

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1. Bablu Singh Son of Dindayal Singh Resident of Village - Amaratha, P.S.- Karakat, District- Rohtas
 2. Uma Singh @ Umashankar Singh Son of Dindayal Singh Resident of Village - Amaratha, P.S.- Karakat, District- Rohtas

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Chhote Lal Mishra, Advocate
For the Respondent/s : Mr.Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 9 08-04-2025 1. Heard learned Counsel for the appellants and learned Additional Public Prosecutor for the State.
2. An order dated 04.12.2019, passed by learned Additional District & Sessions Judge-1st, Sasaram, Rohtas in Regd. No. 132 of 2019, is under challenge in the present appeal preferred under Section 14-A(2) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby the anticipatory bail application of the appellants in connection with Dehri SC/ST Police Station Case No. 38 of 2019 registered for the offences punishable under Section 354 and other allied sections of the Indian Penal Code and Sections 3 (1)(r)(s) of the



Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989, has been rejected.

3. The prosecution case, as per the First Information Report, is that on 02.06.2019, while the wife of the informant was returning back from a marriage ceremony, the appellants along with other accused persons surrounded her, abused her by taking caste name and assaulted her, due to which, she sustained injury on the ribs. Upon noise being raised by the informant's wife, the younger brother of the informant intervened in order to save the informant's wife, upon which, all accused persons assaulted informant and his brother, due to which, they sustained injuries in the chest, back and other parts of the body. It has further been alleged that appellant no. 2 Uma Singh assaulted on the nose of informant's brother with butt of pistol.

4. Learned Counsel appearing on behalf of the appellants submits that appellants have been made accused due to village rivalry. He further submits that on 03.06.2019 at about 10 am in the morning, appellant no. 1 was going on a motorcycle. The hand of the informant was touched with the motorcycle of appellant no. 1, due to which, some scuffle took place between the parties and the appellants' side gave application before Sarpanch on 03.06.2019 in this regard, which



is annexed as Annexure-P/2 to this appeal. Learned counsel next submits that after the incident of 03.06.2019, the present F.I.R. has been lodged on 09.06.2019 i.e. after delay of about 07 days from the date of occurrence. Referring to the injuries caused to the victims at Annexure-3, learned counsel submits that injuries sustained by the victims are simple in nature. He also submits that allegation that in the night at about 11 pm, the appellants and others abused the informant's wife while she was coming from the marriage ceremony goes to show that the alleged abuse was not made in the full public view.

5. No one appears for respondent no. 2, however learned counsel for the State opposed the prayer for bail and submits that there is allegation of abuse against the appellants.

6. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that injuries sustained by the informant's side are simple in nature and the abuse made to informant's wife by her caste name was not made in full public view, I am inclined to grant anticipatory bail to the appellant.

7. Accordingly, this appeal is allowed and the order dated 04.12.2019, passed by learned Additional District & Sessions Judge-1st, Sasaram, Rohtas in Regd. No. 132 of 2019,



is set aside.

8. Let the appellants, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional District & Sessions Judge, Sasaram, Rohtas in Regd. No. 132 of 2019, arising out of Dehri SC/ST Police Station Case No. 38 of 2019.

(Anil Kumar Sinha, J)

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