

(2022) 06 PAT CK 0021

Patna High Court

Case No: Criminal Appeal (SJ) No. 3284 Of 2021

Ravi Ranjan Kumar Singh @ Ravi
Singh @ Ragvi Ranjan Singh

APPELLANT

Vs

State Of Bihar

RESPONDENT

Date of Decision: June 23, 2022

Acts Referred:

- Scheduled Castes and Scheduled Tribes (Prevention Of Atrocities) Act, 1989 - Section 3(2)(va)
- Indian Penal Code, 1860 - Section 34, 323, 341, 354B, 504, 506
- Code Of Criminal Procedure, 1973 - Section 437(3)

Hon'ble Judges: Arun Kumar Jha, J

Bench: Single Bench

Advocate: Surendra Kumar Mishra, Usha Kumari 1, Maya Shankar Mishra

Final Decision: Allowed

Judgement

Heard learned counsel for the appellant, learned counsel for the State and learned counsel for the informant.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

This appeal has been filed against the order dated 09.07.2021 passed by learned 1st Additional District and Sessions Judge-cum- Special Judge,

Rohtas at Sasaram in connection with Nasriganj P.S. Case No. 183 of 2020, registered for the offence punishable under Sections 341, 323, 354B, 504,

506/34 of the Indian Penal Code and Sections 3 (2) (v-a) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 by which the

prayer of the appellant for grant of anticipatory bail has been rejected.

Learned counsel for the appellant has submitted that there is general and omnibus allegation against the appellant, whereas co-accused Kamlesh

Kumar Singh, against whom, there is specific allegation, has been allowed privilege of bail by a coordinate Bench of this Court vide order dated

18.05.2021 passed in Cr. Appeal (SJ) No. 1646 of 2021. Another similarly placed co-accused Ajit Kumar Singh has also been allowed privilege of bail

by the same Bench vide order dated 08.04.2021 passed in Cr. Appeal (SJ) No.1598/2021. Regarding the criminal antecedents of the appellant, learned

counsel submits that the appellant has been made accused in stock manner in all these cases and he is on bail in five cases, whereas case diary has

been called for in another case and in remaining three cases, steps have been taken for grant of bail. The appellant is in custody since 21.12.2020.

The contention of the learned counsel for the appellant has been opposed by learned counsel appearing on behalf of the State as well as the informant.

It has been submitted on behalf of respondents that the appellant tried to outrage the modesty of the informant, a female of scheduled caste, and the

appellant is having a number of criminal cases pending against him and the case of the appellant can be distinguished on this ground from the other co-

accused persons, who have been allowed privilege of bail by a coordinate Bench of this Court.

Having considered the rival submissions of the parties and further considering the fact that there is general and omnibus allegations against the

appellant, who is in custody since 21.12.2020 and the co-accused persons have been allowed privilege of bail, let the appellant, above-named, be

released on bail on furnishing bail bonds of Rs.20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of

learned 1st Additional District and Sessions Judge-cum- Special Judge, Rohtas at Sasaram in connection with Nasriganj P.S. Case No. 183 of 2020

subject to the conditions as laid down under Section 437 (3) of the Code of Criminal Procedure as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that in course of trial if the appellant does not cooperate and do not appear on two consecutive date, the court below shall take steps for cancellation of bail bond.

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