

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3934 of 2019**

Arising Out of PS. Case No.-118 Year-2018 Thana- RAHIKA District- Madhubani

RAMDEO YADAV Son of Mahabu Yadav Resident of Village- Kharaua, P.S.-
Rahika, District- Madhubani.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Gagan Deo Yadav
For the Respondent/s : Mr. Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 17-09-2019 Heard learned counsel for the appellant and
learned Special Public Prosecutor for the State.

This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter in short referred to as the
'SC/ST Act') against the refusal of prayer of anticipatory bail
vide order dated 10.07.2019 passed by learned 1st Additional
Sessions Judge, Madhubani in connection with Rahika P.S. Case
No. 118 of 2018 registered under Sections 147, 149, 323, 341,
447, 504, 354 & 379 of the Indian Penal Code and Section 3(1)
(r) (s) (wi) / 3 (2) (va) of the Scheduled Castes and Scheduled
Tribes (Prevention of Atrocities) Act.

Over row of arrival of the she-goat of the informant



in the courtyard of the appellant, appellant slated the informant and on protest made by her all the seven named accused persons in the F.I.R. including the appellant started assaulting the informant and when her son, Raman Kumar Paswan and Sanjay Kumar Paswan rushed in her rescue they also slated and assaulted them. Appellant tore her attire while Sanoj Yadav snatched his nose pin and mangalsutra.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. He has been falsely implicated in the case merely because the wife of co-accused Horil Yadav has lodged Rahika P.S. Case No.116 of 2018 against the informant and others preceding to the case under hand. The allegation levelled against the appellant is not specific rather general and omnibus in nature. The informant and her son Sanjay Kumar Paswan has not sustained any external injury while Raman Kumar Paswan has sustained bruise below the left eye which is simple in nature. There is inordinate delay of five days in lodging the F.I.R. without assigning any plausible explanation for the said delay. Appellant has no criminal antecedent.

Learned Spl. PP for the State opposed the prayer for bail.



In the facts and circumstances of the case, the above named appellant, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge, Madhubani in connection with Rahika P.S. Case No. 118 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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

(Prakash Chandra Jaiswal, J)

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