

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.19 of 2020**

Arising Out of PS. Case No.-17 Year-2018 Thana- IMAMGANJ District- Gaya

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1. MANOHAR YADAV Son of Vipat Yadav Resident of Village - Gararia Raniganj, P.S.- Imamganj, Distt.- Gaya.
  2. Manoj Yadav Son of Baddu Yadav Resident of Village - Gararia Raniganj, P.S.- Imamganj, Distt.- Gaya.
  3. Munnu Yadav Son of Nandu Yadav Resident of Village - Gararia Raniganj, P.S.- Imamganj, Distt.- Gaya.
  4. Upendra Yadav Son of Nanhku Yadav Resident of Village - Gararia Raniganj, P.S.- Imamganj, Distt.- Gaya.

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. Balram paswan Son of Late Arjun Paswan Resident of Village - Gararia Raniganj, P.S.- Imamganj, Distt.- Gaya.

... .. Respondent/s

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**Appearance :**

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| For the Appellant/s  | : | Mr.S. Jamil Akhtar          |
| For the Respondent/s | : | Mr.Sadanand Paswan, Spl. PP |

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      15-12-2020                      Due to COVID-19 Pandemic, the matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsels for the parties.

The matter relates to grant of anticipatory bail to the appellants in connection with Imamganj P.S. Case No. 17/2018 registered for the offences under Sections 147, 148, 149, 323, 307, 324, 447, 504, 506/34 of the Indian Penal Code and 3(i)(r)



SC/ST Act.

The prosecution case, in brief, is that the accused persons came to the house of informant and assaulted him due to which he sustained injuries.

It has been submitted on behalf of the appellants that the appellants have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the appellants. General and omnibus allegation has been made against the appellant nos. 2, 3 and 4. As far as appellant no. 1 is concerned, he is alleged to have given rod blow upon the victim. It has further been submitted that the nature of injury is said to be simple. Hence, no offence under section 307 IPC is made out. No occurrence is said to have taken place within public view. Hence, no offence under SC/ST Act is made out in the present case.

On behalf of the State, it is submitted that the appellants are named in the F.I.R.

In view of the aforesaid facts and circumstances, the order dated 28.11.19 passed by learned Exclusive Special Judge, SC/ST Gaya in A.B.P. No. 302/19 in connection with Imamganj P.S. Case No. 17/2018, is set aside. The criminal appeal is allowed.



Accordingly, the appellants, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST, Gaya in connection with Imamganj P.S. Case No. 17/2018.

**(Sudhir Singh, J)**

Pankaj/-

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