

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.736 of 2020**

Arising Out of PS. Case No.-359 Year-2019 Thana- RIVILGANJ District- Saran

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Ajit Kumar Yadav Son of Rana Pratap Yadav Resident of House No. 14,
Barhaj, Nadana Ward West, P.S.- Barhaj, District- Deoria, Uttar Pradesh.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Raghunandan Kumar Singh
For the Respondent/s : Mrs.Usha Kumari 1

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 17-12-2020 Heard learned counsel for the appellant and learned
Special P.P. for the State through video conferencing.

The present appeal has been filed against order dated
14-01-2020 passed by learned A.D.J.-I cum Special Judge,
SC/ST Act, Saran at Chapra in Revelganj P.S. Case No. 359 of
2019 registered for the offence punishable under Sections 279,
337, 447/34 of the Indian Penal Code and Section 3(i)(r)(s) of
SC/ST Act, whereby the prayer for anticipatory bail of appellant
was rejected.

As per the prosecution case, on 14-11-2019 at about
4:00 PM, while the informant was going with his son, in the
meantime, a truck, bearing registration no. UP-52F-4733,
dashed his son, as a result of which, his son sustained injuries in
his right leg and thereafter, the driver of the truck was caught by



villagers and handed over to the police. It is further alleged that this appellant, being owner of the truck, came at the door of the informant and abused him by his caste name and threatened him with dire consequences.

It is submitted on behalf of appellant that no case under the SC/ST Act is made out against this appellant, as the alleged occurrence has taken place at the door of the informant, not in public place and appellant has been implicated in this case by the informant only with a view to extract some money from him. The appellant has no criminal antecedent, as stated in paragraph – 3 of the memo of appeal.

Considering the aforesaid facts & circumstances as well as nature of allegation, the impugned order dated 14-01-2020 passed by learned A.D.J.-I cum Special Judge, SC/ST Act, Saran at Chapra in Revelganj P.S. Case No. 359 of 2019 is set aside and appeal is allowed.

Accordingly, let the appellant, above named, in the event of arrest or surrender within a period of eight weeks from the date of receipt/production of copy of this order, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-I cum Special Judge, SC/ST Act, Saran at Chapra



in connection with Revelganj P.S. Case No. 359 of 2019.

(Prabhat Kumar Singh, J.)

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