

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5737 of 2019

Arising Out of PS. Case No.-275 Year-2019 Thana- BYPASS District- Patna

Ramji Yadav Son of Mohan Yadav Resident of Mohalla- Maharani Colony,
Road no.2, Near Bridha Ashram, Agamkuan, Patna- 7, P.S- Bypass, District-
Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ranjit Prasad

For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 07-10-2020 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.

The matter relates to grant of anticipatory bail to the
appellant in connection with Special Case No. 511/19 arising
out of Bypass P.S. Case No. 275 of 2019 registered for the
offences under Sections 341, 323, 448, 307, 354, 34 of the
Indian Penal Code and 3(1)(r) of Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act.

The prosecution case, in brief, is that the accused
persons entered into the house of the informant and assaulted
the informant and her family members due to which they



sustained injuries.

It has been submitted on behalf of the appellant that the appellant has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the appellant. General and omnibus allegation has been made against the appellant. No specific overt act is alleged against the appellant. There is a case and counter case between the parties. For petty reasons, the alleged occurrence is said to have taken place. 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 appellant is named in the F.I.R.

In view of the aforesaid facts and circumstances, with regard to the appellant, the order dated 22.11.2019 passed in A.B.P. No. 8708 of 2019, in connection with Bypass P.S. Case No. 275 of 2019, (Special Case No. 511/2019) by the learned Special Judge, SC/ST Act, Patna, is set aside. The criminal appeal is allowed.

Accordingly, the appellant, namely, Ramji Yadav, 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 learned Special Judge, SC/ST Act, Patna in connection with Bypass P.S. Case No. 275 of 2019, (Special Case No. 511/2019).

(Sudhir Singh, J)

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