

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1046 of 2021

Arising Out of PS. Case No.-220 Year-2020 Thana- BODHGAYA District- Gaya

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1. Praveen Kumar Ramdahin Pal
 2. Sachin Kumar
 3. Navin Kumar @ Naveen Kumar
All Sons of Ramdahin Pal
 4. Rajesh Pal
 5. Nitish Kumar
Both Sons of Sri Bishundeo Pal
 6. Dipu Kumar Son of Pradosh Prasad
All Resident of Village - Parsawan, P.S.- Cherki, Bodh Gaya, Dist.- Gaya.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjeet Kumar, Adv.
For the Respondent/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY
ORAL ORDER

2 01-11-2021 Heard learned counsel for the appellants as well as
learned Special P.P for the State.

Learned counsel for the appellants is directed to
remove all the defects as pointed out by the Stamp Reporter
within one month.

This appeal has been preferred on behalf of the
appellants under Section 14(A) of the SC & ST (Prevention of
Atrocities) Act for setting aside the order dated 03.10.2020
passed by the learned Special Judge, SC/ST (POA) Act, Gaya,
in connection with Bodh Gaya (Cherki) P.S. Case No.220 of



2020, registered for the offences punishable under Sections 341, 323, 504, 506/34 of the Indian Penal Code and 3(i)(r)(s) of the SC & ST (POA) Act, whereby the prayer for anticipatory bail of the appellants has been rejected.

Learned counsel for the appellants has submitted that bare perusal of the FIR itself reveals that not even a single word has been used against the members of the informant party calling their caste name. As such, the provisions of SC/ST are not attracted. Moreover, the case has been compromised.

Learned Special P.P. opposed the prayer for bail.

Considering the fact that not even a single word has been used by the accused calling the caste name of the informant, the appeal is allowed and the impugned order dated 03.10.2020 passed by the learned Special Judge, SC/ST (POA) Act, Gaya, is set aside.

Let the appellants above named, in the event of arrest or surrender, within four 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 Special Judge, SC/ST, Gaya in connection with Bodh Gaya (Cherki) P.S. Case no.220 of 2020.

Office shall ensure that all defects are removed by the



appellants within the stipulated time provided in para-2
hereinabove, failing which the matter shall be brought to the
notice of this Court.

(Nawneet Kumar Pandey , J)

Prakash Narayan /-

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