

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2526 of 2021

Arising Out of PS. Case No.-679 Year-2018 Thana- BODHGAYA District- Gaya

RAJESH KUMAR RANJAN Son of Ritu Yadav Resident of Mohalla-
Narshingh Sthan Bodh Gaya, P.S.- Bodh Gaya, District- Gaya.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Anand Kumar, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl. PP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 16-07-2021 Heard Mr. Anand Kumar, learned counsel for

the appellant and Mr. Sadanand Paswan, learned Spl. PP

for the State.

The appellant has challenged the order dated

15.03.2021 passed by the learned Exclusive Special

Judge, SC/ST Act, Gaya in A.B.P. No. 906 of 2021

arising out of Bodh Gaya P.S. Case No. 679 of 2018,

whereby the prayer made on behalf of the appellant for

grant of pre-arrest bail for the offences under Sections

341, 323, 354, 379, 504, 506 and 34 of the Indian

Penal Code and Sections 3(1)(g)(r)(s) of the SC/ST Act

has been rejected.



The accusation in the FIR is that the appellant and another abused and assaulted the informant because there was some dispute with respect to construction of a building over a plot of land.

Learned counsel for the appellant has submitted that there is a counter version of the occurrence also vide Bodh Gaya P.S. Case No. 675/2018 which has been lodged against the husband of the informant of the subject FIR. One of the accused persons of this case has been granted anticipatory bail by a Bench of this Court. Because of land dispute between the parties, this case has been instituted with the accusation of hurling abuses and assaulting the informant. No offence either under the IPC or under the SC/ST (Prevention of Atrocities) Act can at all be said to have been made out so far as the appellant is concerned.

For the aforestated reasons, the order dated 15.03.2021 is set aside.

The appeal stands allowed.



On the appellant surrendering before the court below within a period of eight weeks, he shall be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, SC/ST Act, Gaya in A.B.P. No. 906 of 2021 arising out of Bodh Gaya P.S. Case No. 679 of 2018.

(Ashutosh Kumar, J)

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