

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1213 of 2021**

Arising Out of PS. Case No.-427 Year-2019 Thana- BIHIA District- Bhojpur

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Ram Babu Kumar Yadav @ Ram Babu Yadav S/o Seeta Ram Yadav R/o
Village-Bhojachak, P.S- Bihiya, District-Bhojpur At Ara.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Satsang Paswan son of Late Tunki Paswan Resident of Doghra, P.S.- Bihiya
Dist- Bhojpur.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Tej Pratap Singh
For the Respondent/s	:	Ms. Usha Kumari 1
		Mr. Praveen Kumar
		Mr. Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 30-06-2022 Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as ‘the SC/ST Act’) against the refusal of prayer of anticipatory bail vide order dated 03.07.2020, passed by learned 1st Additional Sessions Judge, Bhojpur at Ara in connection with Bihiya P.S. Case No.427 of 2019, registered under Sections 147, 341, 323, 307, 379 of the Indian Penal Code and Sections 3(i)(r)/3(ii)(va)/3(i)(s) of the SC/ST Act.

The appellant and other co-accused persons are said to have assaulted the informant by different weapons and they also



abused him by naming his caste.

Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. It is submitted that some dispute arose between one Mritunjay Tiwari and family members of the appellant with respect to measurement of land, the informant is the driver of Mritunjay Tiwari, therefore, he has lodged this case against the appellant and others. It is further submitted that there is general and omnibus allegation against the appellant and similarly situated other co-accused persons have already been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 24.08.2021, passed in Criminal Appeal (SJ) No.1819 of 2021.

Learned Special P.P. for the State opposed the prayer for anticipatory bail of the appellant.

Taking into consideration the fact that similarly situated other co-accused persons have already been enlarged on bail by a co-ordinate Bench of this Court, let appellant, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each



to the satisfaction of learned 1st Additional Sessions Judge,
Bhojpur at Ara in connection with Bihiya P.S. Case No.427 of
2019, subject to the conditions laid down under Section 438(2)
of the Cr.P.C.

Accordingly, the impugned order is set aside and this
appeal is allowed.

(Anjani Kumar Sharan, J.)

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