

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1594 of 2022

Arising Out of PS. Case No.-105 Year-2022 Thana- SHAHPUR District- Patna

BITTU YADAV @ BITTU KUMAR SON OF SHYAM BABU RAI @ SHYAM
BABU YADAV R/O VILLAGE- USARI, P.O.- SHIKARPUR, P.S.- SHAHPUR,
DISTRICT- PATNA

... .. Appellant/s

Versus

1. The State of Bihar
2. MIRA DEVI WIFE OF BINOD DAS R/O VILLAGE- USARI, P.O.-
SHIKARPUR, P.S.- SHAHPUR, DISTRICT- PATNA

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ravi Shanker Pankaj, Adv.
For the Respondent/s : Mr.Usha Kumari 1, APP.
Md.Murad Ashraf, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-11-2022 Heard the parties.

Learned counsel for the appellant is directed to remove
the defect(s) pointed out by the office within four weeks.

This is an appeal under section 14(A) (2) of the
Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)
Act, 1989 (hereinafter in short referred to as the 'SC/ST Act')
against the refusal of prayer for anticipatory bail vide order dated
21.04.2022, passed by Special Judge, SC/ST, Patna, in connection
with Shahpur P.S. Case No.105 of 2022, registered u/s 341, 323,
354 B, 506, 504, 34 of the IPC and sections 3(1)(r)(s) of SC/ST
(POA) Act.

Allegedly, the FIR named accused persons including
the appellant is said to have abused the informant. They also
threatened to kill her if she would not take back her cases lodged



earlier against the appellant's side.

It is submitted by learned counsel for the appellant that the appellant is innocent and has not committed any offence. No such occurrence, in the manner as alleged has ever taken place. Appellant has been falsely implicated in the case with frivolous allegation due to oblique motive. It is further submitted that informant lodged series of four false cases against the appellant and his family. Appellant has no criminal antecedent. It is further submitted that no offence under the SC/ST Act is made out against the appellant as there is no specific allegation against him.

Learned Spl. PP for the State as well as respondent no.2 opposed the prayer for bail and submit that from the perusal of the FIR it is clear that there is allegation against the appellant to abuse the informant by taking caste name.

Considering the facts and circumstances of the case, since there is specific allegation against the appellant to abuse the informant by taking caste name, I am not inclined to enlarge him on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This appeal is accordingly dismissed.

(Anjani Kumar Sharan, J)

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