

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2057 of 2022

Arising Out of PS. Case No.-33 Year-2022 Thana- KONCH District- Gaya

1. DHANANJAY YADAV Son of Late Karu Yadav Resident of Village - Pradhana, P.s.- Konch, Distt.- Gaya.
2. Naulesh Kumar Son of Ram Kewal Yadav Resident of Village - Pradhana, P.s.- Konch, Distt.- Gaya.
3. Raj Nath Yadav Son of Latge Ramdat Yadav Resident of Village - Pradhana, P.s.- Konch, Distt.- Gaya.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Rama Kant Singh, Advocate
For the Respondent/s : Mr. Usha Kumari 1, Special P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-07-2022 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

The present appeal is directed against the order dated 25.03.2022 passed by learned Exclusive Special Judge, SC/ST, Gaya in a case registered for the offence punishable under Sections 341, 323, 379, 504 and 506/34 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(i)(r) of the SC/ST Act, whereby anticipatory bail of the appellants have been rejected.

It is a case of assaulting and abusing to the informant.

It is submitted by learned counsel for the appellants



that the provision of SC/ST Act is not attracted because there is no intention of the appellants to insult the informant who is a member of the SC/ST community and it is also submitted that the occurrence did not take place in public view. There is general and omnibus allegation against the appellants.

Learned counsel for the Special Public Prosecutor on the other hand opposes the prayer for anticipatory bail.

Having heard learned counsel for the parties and taking into consideration, the Court is inclined to allow this appeal. Accordingly, the instant appeal is allowed and the impugned order dated 25.03.2022 passed in ABP No.43 of 2022 is hereby set aside.

The appellants are directed to be enlarged on anticipatory bail in the event of their arrest or surrender before the court below within a period of four weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST, Gaya in connection with Konch P.S. case No. 33 of 2022.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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