

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2433 of 2022

Arising Out of PS. Case No.-8 Year-2022 Thana- GURUA District- Gaya

Aryan Raj @ Aryan Kumar Singh @ Bambam Singh Son Of Awdhesh Singh
Resident Of Village - Baheri, P.S.- Gurua, District - Gaya.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Ravi Nandan Ravidas Son of Vrishbhan Ravidas Resident of Village -
Nadauri, P.S.- Gurua, District - Gaya.

... .. Respondent/s

with

CRIMINAL APPEAL (SJ) No. 2494 of 2022

Arising Out of PS. Case No.-8 Year-2022 Thana- GURUA District- Gaya

1. Randhir Kumar Singh S/O Mahabir Prasad Singh Resident Of Village-
Jethani, P.O.- Jethani, P.S.- Atri, District- Gaya, At Present Village- Baheri,
P.S.- Gurua, District- Gaya.
2. Dhiraj Kumar S/O Yogendra Singh Resident Of Village- Baheri, P.S.- Gurua,
District- Gaya.

... .. Appellant/s

Versus

1. The State of Bihar
2. Ravi Nandan Ravidas S/O Brish Bhan Ravidas Resident Of Village-
Nadauri, P.S.- Gurua, District- Gaya.

... .. Respondent/s

Appearance :

(In CRIMINAL APPEAL (SJ) No. 2433 of 2022)

For the Appellant/s : Mr. Bhaskar Shankar, Advocate

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

(In CRIMINAL APPEAL (SJ) No. 2494 of 2022)

For the Appellant/s : Mr. Ranjay Kumar Singh, Advocate

For the Respondent/s : Mr. Binay Krishna, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 14-12-2022 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

Learned counsel for the appellants undertakes to
remove the defects 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 of anticipatory bail vide order dated 20.06.2022 passed by learned Exclusive Special Judge, SC/ST, Gaya in connection with Gurua P.S. Case No. 08 of 2022 registered under Sections 307, 379, 341, 342, 323, 504, 506, 120(B), 147, 148, 149 of the Indian Penal Code and Section 3(1)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

As per allegation, when the informant Ravi Nandan Ravidas was engaged in cleaning work, two teachers namely Champa Kumari and Nishee Kumari came there and they asked him as to why he sent their videos to the B.R.C. When the informant denied, the accused persons abused him by calling his caste name. They also snatched Rs. 5000.- from his pocket.

It is submitted by learned counsel for appellants that no such occurrence as alleged ever took place. It is submitted by learned counsel for the appellants that the appellants have no concern with the aforesaid occurrence. They have been falsely implicated in the case. Learned counsel for the petitioners further submits that the similar situated co-accused namely, Ajay



Singh has been granted anticipatory bail vide order dated 27.09.2022 passed in Cr. Appeal(SJ) No. 2518 of 2022 by the Co-ordinate Bench of this Court. Appellants have no criminal antecedent as mentioned in para-3 of this memo of appeal.

Learned Spl. P.P. for the Stateas well as learned counsel for the respondent no.2 opposed the prayer for bail application and submits that there is a specific allegation of overt act against the petitioner.

In the facts and circumstances of the case, the above named appellants, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on bail on furnishing bail bond Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge cum Special Judge (SC/ST Act), Saran in connection with Gurua P.S. Case No. 08 of 2022, subject to the condition as 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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