

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2503 of 2022

Arising Out of PS. Case No.-21 Year-2020 Thana- MATIYARIA District- West Champaran

Satyendra Yadav @ Satyendra Prasad Yadav S/O Ramdhari Yadav @
Ramdhari Prasad Yadav Resident of Village- Sherpur Bairiya Tola, P.S.-
Matiyariya, District- West Champaran.

... .. Appellant/s

Versus

1. The State of Bihar
2. Manita Devi W/O Diwakar Patwari Resident of Village- Tahkaul, P.S.-
Gaunaha, District- West Champaran.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Sachida Nand Rai
For the Informant	:	Mr. Bimlesh Kumar Pandey
		Ms. Anjali Kumari
For the Respondent/s	:	Ms.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 28-09-2022 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

The present memo of appeal has been filed on behalf of the appellant for grant of anticipatory bail against the order dated 23.02.2022 passed by learned 1st Additional District & Sessions Judge-cum-Special Judge (SC/ST Act), Bettiah, West Champaran in connection with Matiyariya P.S. Case No. 21 of 2020 under Section 307 and other allied sections of the Indian Penal Code and section 3(i)(r)(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby the prayer for anticipatory bail of the appellant was



rejected.

Prosecution case in brief is that all the sixteen accused persons named in the FIR including this appellant abused the husband of informant by taking caste name and brutally assaulted him due to previous enmity.

It is submitted on behalf of the appellants there is general and omnibus allegation. No specific overt act has been alleged against this appellant. No case under SC/ST Act is made out, as both parties in litigating term. Appellant has been falsely implicated in this case due to land dispute between the parties and a title suit bearing Title Suit No. 260 of 2019 is pending between them.

However, counsel for State vehemently opposed the prayer for bail and submitted that appellant is named in the FIR and has got five criminal antecedents.

Considering the aforesaid facts and criminal antecedents of the appellant, the prayer for anticipatory bail is rejected.

Accordingly, this appeal stands dismissed.

(Prabhat Kumar Singh, J)

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