

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.634 of 2021**

Arising Out of PS. Case No.-499 Year-2019 Thana- MAJHAULIA District- West Champaran

RANJAN YADAV @ RANJAN KUMAR YADAV S/O RAMDHANI
YADAV RESIDENT OF VILLAGE AMWA BAIRAGI TOLA, PS-
MAJHAULIA, DISTRICT-WEST CHAMPARAN.

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. Omkar Saroj son of Rajdeo Ram R/o Naya Tola, Ward No. 6, P.O. and P.S.-
Sugauli, District- East Champaran

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Gaurav Govind
For the Respondent/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 21-12-2022 Heard the parties.

Office pointed out that notice has been validly served upon the respondent no.2, but nobody appears on his behalf.

This is an appeal under section 14 (A) (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (hereinafter in short referred to as the ‘SC/ST Act’) against the refusal of prayer for anticipatory bail vide order dated 17.06.2019, passed by learned Additional District and Sessions Judge and Special Judge (SC/ST/ POCSO) Bettiah, West Champaran in connection with Majhaulia P.S. Case No.499 of 2019, registered under sections 341, 323, 384, 379, 504, 506, 34 of the Indian Penal Code and 3(i)(r) of the



S.C./S.T. Act.

Allegedly, the appellant alongwith other accused persons entered into the petrol pump, where the informant works and assaulted the informant with fists and slaps and also abused him. It is further alleged that the accused persons including the appellant took cash of Rs.85,000/- from the petrol pump and Rs.4000/- from one Sanjay and fled away.

Learned Counsel for the appellant submits that appellant is innocent and has been falsely implicated in the present case. No such occurrence as alleged has ever taken place. The allegation levelled against the appellant is rather general and omnibus in nature. There is no specific overt act against the appellant. He further submits that the informant and his employees abused and assaulted the appellant and lodged the present case to cover up their illegal act. Appellant has no criminal antecedent, which is also mentioned in para-3 of the memo of appeal.

Learned Spl.PP for the State opposed the prayer of grant of anticipatory bail and submits that there is specific allegation against the appellant to enter into the petrol pump and snatch money from the informant/respondent no.2.

Considering the facts and circumstances of the case, I am



not inclined to grant anticipatory bail to the appellant. The prayer for grant of bail on his behalf is hereby rejected.

This appeal is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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