

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2685 of 2022

Arising Out of PS. Case No.-47 Year-2022 Thana- KASMA District- Aurangabad

-
1. Rupesh Kumar S/O- Prayag Chandrawanshi Resident Of Village - Pandey Karma, P.S.- Kasma, District - Aurangabad.
 2. Santan Kumar S/o- Ganauri Chandravanshi Resident of Village - Pandey Karma, P.S.- Kasma, District - Aurangabad.
 3. Lalu chandravanshi @ Lalu Kumar S/o- Mahesh Singh Resident of Village - Akhtar, P.S.- Gurua, District - Gaya.

... .. Appellant/s

Versus

1. The State of Bihar
2. Suresh Ram S/o- chalitar Ram Resident of Village - Akauna, P.S.- Goh, District - Aurangabad.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Tej Narayan Singh
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-09-2022 Heard the learned counsel for the appellants

and learned Special P.P for the State.

The appellant has challenged the order dated
09.06.2022 passed by learned 1st Additional District and
Session Judge-cum-Special Judge (SC/ST), Aurangabad
in connection with Kasma P.S Case No. 47 of 2022
instituted for the offences punishable under Sections
341, 323, 337, 427, 338, 379, 34 of the Indian Penal
Code and Sections 3(1)(r), (s)/3, (2) (va) of the SC &



St (Prevention of Atrocities) Act, whereby their prayer for being released on anticipatory bail has been rejected.

The accusations are of assaulting, damaging the vehicle and fleeing away with jewellery.

It is submitted by learned counsel for the appellants that appellants have falsely been implicated in this case due to village politics. It is further submitted that the appellants have no any concern with this entire episode and not a single word had been used in this entire episode relating to any caste. So, this case does not attract the prevention of SC/ST Act. It is also submitted that neither any specific role of appellants nor anything suspicious has been found against the appellants. A statement has been made in para 3 of the petition that appellants have no criminal antecedent.

Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 09.06.2022.

Accordingly, this appeal is allowed.



The appellants, above named, are directed to be released on bail in the event of their arrest or surrender within a period of four weeks from today and on their furnishing bail bonds of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional District & Sessions Judge-cum-Special Judge, SC/ST (Prevention of Atrocities) Act, Aurangabad in connection with Kasma P.S. Case No. 47 of 2022.

nirajkrs/-

(Sunil Kumar Panwar, J)

U		T	
---	--	---	--

