

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4161 of 2021**

Arising Out of PS. Case No.-275 Year-2019 Thana- LAKHNAUR District- Madhubani

BIRENDRA KUMAR YADAV @ BIRENDRA YADAV @ BIRENDRA
KUMAR Son of Jamun Yadav Resident of Village - Nirmala, P.S. - Lakhnaur,
District - Madhubani.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ravi Prakash, Advocate
	:	Mr. Gagandeo Prasad Yadav, Advocate,
For the Respondent/s	:	Mr. Sadanand Paswan, S. P.P.

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 30-06-2022 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

The present appeal is directed against the order dated 25.06.2021 passed by learned Ist Additional Sessions Judge, Madhubani in a case registered for the offence punishable under Sections 341, 323, 504 and 379/34 of the Indian Penal Code and Sections 3(i)(r)(s) of the SC/ST Act, whereby anticipatory bail of the appellant has been rejected.

It is a case of assaulting and abusing by way of indicating caste name of the informant.

It is submitted by learned counsel for the appellant that incident as alleged did not occur in public view, hence, the informant was not insulted in public domain and there is general



and omnibus allegation against the appellant.

Learned counsel for the State on the other hand opposes the prayer for anticipatory bail.

Having heard learned counsel for the parties and taking into consideration that there is general and omnibus allegation against the appellant, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 25.06.2021 passed in A.B.P. No. 200 of 2021 is hereby set aside.

The appellant is directed to be enlarged on anticipatory bail in the event of his arrest or surrender before the court below within a period of four weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Ist Additional Sessions Judge, Madhubani in connection with Lakhnaur P.S. Case No. 275 of 2019.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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