

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No. 3092 of 2022**

Arising Out of PS. Case No.-121 Year-2021 Thana- FATEHPUR District- Gaya

1. Ravi Yadav @ Ravi Kumar Son Of Lalan Prasad Yadav R/O Village- Gulejar Bigha, P.O.- Tarwan, P.S.- Fatehpur, District- Gaya, Bihar. Pin- 805128
2. Sandeep Yadav @ Sandeep Kumar Son Of Suresh Yadav R/O Village- Gulejar Bigha, P.O.- Tarwan, P.S.- Fatehpur, District- Gaya, Bihar. Pin- 805128

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Anmol Kumar
For the Respondent/s	:	Mr. Sadanand Paswan

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

2 29-09-2022 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

The instant appeal has been filed by the appellants against the order dated 25.05.2022 passed by learned Special Judge, SC/ST, (POA) Act, Gaya in ABP No. 116 of 2022 whereby the prayer for bail of the appellants in connection with Fatehpur P.S. Case no. 121 of 2021 under Sections 341, 323, 325, 504, 506, 379/34 of the Indian Penal Code and sections 3(1)(r)(s), 3(2)(va) of SC/ST, (POA) Act was rejected.

Allegations against the appellants are of abusing by taking the caste name of the informant and assaulting him by lathis and hockeys.

It is submitted by learned counsel for the appellants that



appellants have been falsely implicated in this case due to dirty village politics. There is no specific overt act against the appellants. They have got no criminal antecedent. No offence is made out under the provisions of the SC/ST Act against them. The appellants have not taken the caste name of the informant in public view and they had no intention to disgrace his image.

The appeal for bail is opposed by learned Spl. P.P. for the State.

Having heard learned counsel for the parties and taking into consideration that there is general and omnibus allegation against the appellants, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 25.05.2022 passed in A.B.P. No. 116 of 2022 is hereby set aside.

The appellants are directed to be enlarged on bail in connection with Fatehpur P.S. Case No. 121 of 2021 in the event of arrest or surrender before the court below within a period of four weeks on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Special Judge SC/ST, Gaya.

(Sunil Kumar Panwar, J)

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