

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3462 of 2022**

Arising Out of PS. Case No.-2 Year-2022 Thana- SC/ST District- Gaya

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1. Deelip Kumar @ Dipu, Son Of Late Baliram Singh R/O Village- Kajur, P.S.- Atri, Distt.- Gaya
 2. Kishor Kunal, Son Of Ramnandan Singh R/O Village- Dariyapur, P.S.- Atri, Distt.- Gaya
 3. Mukesh Kumar, Son Of Sidheshwar Prasad Singh R/O Village- Kajur, P.S.- Atri, Distt.- Gaya

... .. Appellant/S

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Vinod Kumar
For the Respondent/s : Mr. Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 16-11-2022 Heard learned counsel for the appellants and the
learned Special Public Prosecutor for the State.

The appellants have challenged the order dated 30.07.2022 passed by the learned SC/ST Court, Gaya in connection with Gaya SC/ST Case No.02 of 2022, instituted for the offences under Sections 341, 323, 379, 504, 506 and 34 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, whereby their prayer for grant of anticipatory bail has been rejected.

The learned counsel for the appellants submits



that the appellants are persons with clean antecedent and the informant alleges that accused-appellants came and assaulted him and abused by taking his caste name and even snatched his gold chain.

The learned counsel for the appellants submits that from bare perusal of the allegation as alleged in the F.I.R., it would manifest that the allegation of abuse and assault is general and omnibus in nature and even presuming what is alleged is true without admitting for the purposes of anticipatory bail, then the F.I.R. does not even remotely suggest that the occurrence if alleged was committed in public view.

The learned Special P. P. opposes the bail application.

Regard being had to the aforesaid submissions, the order dated 30.07.2022 is set-aside.

The appeal stands allowed.

The appellants, above-named, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) each with two sureties of the like amount each



to the satisfaction of learned Special Judge, SC/ST Court, Gaya
in connection with Gaya SC/ST Case No.02 of 2022, subject to
the conditions laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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