

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.132 of 2022**

Arising Out of PS. Case No.-286 Year-2021 Thana- MUFFASIL District- Aurangabad

1. Suresh Yadav Son of Rambilsah Yadav Resident of Village - Gajadhar Bigha, P.S.- Aurangabad (Muffasil), Distt.- Aurangabad.
2. Arun Yadav Son of Sruesh Yadav Resident of Village - Gajadhar Bigha, P.S.- Aurangabad (Muffasil), Distt.- Aurangabad.
3. Arvind Yadav Son of Suresh Yadav Resident of Village - Gajadhar Bigha, P.S.- Aurangabad (Muffasil), Distt.- Aurangabad.

... .. Appellant/s

Versus

1. The State of Bihar
2. Geeta Paswan , S.I. Aurangabad, P.S.- Muffasil, Distt. Aurangabad. Bihar

... .. Respondent/s

Appearance :

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

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

2 07-07-2022 Heard learned counsel for the appellants and

learned Special P.P for the State.

The appellants have challenged the order dated

06.12.2021 passed by the learned Additional District &

Sessions Judge-I-cum-Special Judge, SC/ST Act,

Aurangabad in connection with Aurangabad (Mufassil)

P.S. Case No. 286 of 2021 instituted for the offences

punishable under Sections 147, 148, 149, 341, 323,

332, 333, 353, 504 of the Indian Penal Code and



Section 3(1)(r)(s) of the SC & ST (Prevention of Atrocities) Act, whereby their prayer for being released on anticipatory bail has been rejected.

The accusations are of making assault and abusing by calling caste name.

It is submitted by learned counsel for the appellants that appellants have falsely been implicated in this case. There is general and omnibus allegation against the appellants. There is no injury report on record. Moreover, the provisions under SC/ST Act would not be applicable in the case of the appellants.

Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 06.12.2021 passed by the learned Additional District & Sessions Judge-I-cum-Special Judge, SC/ST Act, Aurangabad.

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 Additional District & Sessions
Judge-I-cum-Special Judge, SC/ST Act, Aurangabad in
connection with Aurangabad (Muffasil) P.S. Case No.
286 of 2021.

(Sunil Kumar Panwar, J)

Shageer/-

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

