

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.930 of 2023

Arising Out of PS. Case No.-379 Year-2022 Thana- GOH District- Aurangabad

1. CHHOTU CHANDRAVANSHI Son of Amaka Chandravanshi R/V- Khaira Mohan, P.S- Goh Dist- Aurangabad Bihar
2. Jairam Chandravanshi Son of Baudh Chandravanshi R/V- Khaira Mohan, P.S- Goh Dist- Aurangabad Bihar
3. Ram Pukar Chandravanshi Son of Chaneswar Chandravanshi R/V- Khaira Mohan, P.S- Goh Dist- Aurangabad Bihar
4. Sonu Chandravanshi Son of Late Indal Chandravanshi R/V- Khaira Mohan, P.S- Goh Dist- Aurangabad Bihar
5. Shailesh Chandravanshi @ Shalesh Chandravanshi Son of Ramesh Chandravanshi R/V- Khaira Mohan, P.S- Goh Dist- Aurangabad Bihar
6. Mukesh Chandravanshi Son of Late Kamta Singh Chandravanshi R/V- Khaira Mohan, P.S- Goh Dist- Aurangabad Bihar
7. Dinesh Chandravanshi Son of Indardeo Chandravanshi @ Indradeo Chandravanshi R/V- Khaira Mohan, P.S- Goh Dist- Aurangabad Bihar
8. Murari Chandravanshi Son of Late Shiv Chandravanshi R/V- Khaira Mohan, P.S- Goh Dist- Aurangabad Bihar

... .. Appellant/s

Versus

1. The State of Bihar
2. Manish Ram Son of Dilkeswar Ram R/V- Khaira Mohan, P.S- Goh Dist- Aurangabad Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mrs. Kumari Chandna
For the Respondent/s	:	Mr. Sadanand Paswan
		Mr. Santosh Chandra Bhaskar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-05-2023 Heard the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer of anticipatory bail vide order dated 13.01.2023



passed by learned 1st Additional and Sessions Judge cum Special Judge (SC/ST Act), Aurangabad in connection with Goh P.S. Case No.379 of 2022, registered under Sections 147, 148, 149, 341, 323, 325, 504, 506, 307 of the Indian Penal Code and Section 3(i) (r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegedly, the appellants and other co-accused persons entered into the house of the informant and abused him by taking caste name. It is also alleged that they assaulted the informant and his family members due to which they sustained injuries.

It is submitted by learned counsel for the appellants that the appellants have no concern with the aforesaid occurrence. They have been falsely implicated in the case due to dirty village politics. The allegation of assault levelled against the appellants is not specific rather general and omnibus in nature. Slating the informant/complainant in the name of caste is said to have been made inside the house and not in public view, hence no offence under SC/ST Act is made out against the appellants. He submits that the specific allegation is against co-accused Anil Chandrawanshi. He further submits that the injury report is enclosed in the FIR, which shows that no injury has been found grievous in nature. Appellant no.7 has two criminal antecedent and the rest of the appellants have no criminal antecedent, as also



mentioned in para-3 of memo of appeal.

Learned Spl. PP for the State as well as learned counsel for the respondent no.2 opposed the prayer for bail by submitting that the appellants are also involved in the present case.

In the facts and circumstances of the case, the above named appellants, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Additional and Sessions Judge cum Special Judge (SC/ST Act), Aurangabad in connection with Goh P.S. Case No.379 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Accordingly, the impugned order is set aside and this appeal is allowed.

(Anjani Kumar Sharan, J)

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