

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1607 of 2023

Arising Out of PS. Case No.-631 Year-2022 Thana- GAYA KOTWALI District- Gaya

Vicky Yadav @ Vikash Pratap Singh Son Of Late Krishna Yadav Resident Of
Village- Gulab Bagh Near Jheelganj, Ps- Kotwali, Distt- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Rohit Kumar Son Of Damodar Prasad Resident Of Village- Maharani Road,
Ps- Kotwali, Distt- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Atul Shankar
For the Respondent/s	:	Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-07-2023 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

In view of the earlier order dated 19.04.2023, the informant was informed about his appearance in this case by the learned Special P.P. for the State, but nobody has entered appearance on his behalf.

This is an appeal under section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer for bail vide order dated 22.01.2023, passed by learned Exclusive Special Judge (SC/ST Act), Gaya in connection with Kotwali P.S. Case No. 631 of 2022, registered under Sections 147, 148, 149, 341, 323, 307 of the IPC, Section



27 of the Arms Act and Sections 3(i) (r)(s) of SC/ST Act.

The appellant is said to have assaulted the informant by leg on his stomach.

It is submitted by learned counsel for the appellant that the appellant is innocent and has been falsely implicated in this case. He submits that there is general and omnibus allegation levelled against the appellant. He submits that there is no specific overt act against the appellant to abuse the informant by taking caste name. The specific allegation of assault is against co-accused Rajiv Ranjan@ Jitu Yadav, Dhiraj [Kumar@Rahul](#) Jheelkat. He submits that there is compromise in between the parties. He further submits that appellant has one criminal antecedent as stated in para-3 of this appeal.

However, learned Special P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named appellant in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (SC/ST Act), Gaya in



connection with Kotwali P.S. Case No. 631 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
the appeal is allowed.

(Anjani Kumar Sharan, J)

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