

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1758 of 2023

Arising Out of PS. Case No.-99 Year-2022 Thana- SAKRI District- Madhubani

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1. Salpal Yadav @SHAKTI Pal Yadav Son Of Kapildeo Yadav Resident Of Village- Medhaul, Ps- Pandaul, Distt- Madhubani
 2. Dilkhush Giri Son Of Mahesh Giri Resident Of Village- Medhaul, Ps- Pandaul, Distt- Madhubani
 3. Santosh Yadav Son Of Sundar Yadav Resident Of Village- Medhaul, Ps- Pandaul, Distt- Madhubani
 4. Dhiraj Yadav @ Dhirendra Kumar Yadav @ Dhiraj Kumar Yadav Son Of Ram Autar Yadav Resident Of Village- Medhaul, Ps- Pandaul, Distt- Madhubani
 5. Saroj Yadav @ Saroj Kumar Yadav Son Of Sahdeo Yadav Resident Of Village- Medhaul, Ps- Pandaul, Distt- Madhubani
 6. Nunnu Sharma Son Of Ruman Sharma Resident Of Village- Medhaul, Ps- Pandaul, Distt- Madhubani
 7. Vikash Kumar Yadav Son Of Late Shardanand Yadav Resident Of Village- Medhaul, Ps- Pandaul, Distt- Madhubani
 8. Arun Yadav Son Of Shiyjee Yadav Resident Of Village- Medhaul, Ps- Pandaul, Distt- Madhubani
 9. Bharat Yadav Son Of Ram Udgar Yadav Resident Of Village- Medhaul, Ps- Pandaul, Distt- Madhubani

... .. Appellant/s

Versus

1. The State of Bihar
2. Bhola Sadai, Son Of Baujan Sadai Resident Of Village- Minhaiy, Ps- Sakri, Dist- Madhubani

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 30-08-2023 Heard learned counsel for the appellants, respondent no.

2 and learned Special Public Prosecutor for the State.

2. 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 20.03.2023, passed by learned 1st Additional Sessions Judge-cum-Special Judge, Madhubani in connection with Sakri P.S. Case No. 99 of 2022, registered under Sections 341, 323, 308, 379, 435/34 of the IPC and Sections 3(1) (r)(s) of SC/ST Act.

3. As per FIR, all the accused persons including the appellants set ablaze the house of the informant.

4. It is submitted by learned counsel for the appellants that the appellants are innocent, not named in the FIR and have been falsely implicated in this case due to land dispute. He submits that there is no specific overt act against the appellants to abuse the informant by taking caste name. He submits that there is general and omnibus allegation levelled against the appellants. He further submits that appellant nos. 1, 2 and 7 have criminal antecedent as stated in para-3 of this appeal.

5. However, learned Special Public Prosecutor for the State and learned counsel for the respondent no. 2 submit that the appellants are also involved in the present case.

6. Considering the facts and circumstances of the case and the nature of allegation, I am not inclined to enlarge the appellants on bail. Accordingly, their prayer for anticipatory



bail is rejected in connection with Sakri P.S. Case No. 99 of
2022.

(Anjani Kumar Sharan, J)

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