

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1867 of 2023

Arising Out of PS. Case No.-419 Year-2022 Thana- GAIGHAT District- Muzaffarpur

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RAMPRAVESH SINGH @ RAM PRAVESH SINGH SON OF LATE
YADUNI SINGH RESIDENT OF VILLAGE - PIRAUCHHA, P.S. -
GAIGHAT, O.P. -BENIBAD, DISTT. - MUZAFFARPUR

... .. APPELLANT/S

VERSUS

1. THE STATE OF BIHAR
2. RAJKUMARI DEVI WIFE OF YOGI RAM RESIDENT OF VILLAGE -
PIRAUCHHA, P.S. - GAIGHAT, O.P. - BENIBAD, DISTT. -
MUZAFFARPUR

... .. RESPONDENT/S

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Appearance :

For the Appellant/s	:	Mr. Dileep Kumar Singh, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Addl. Public Prosecutor
For the Respondent No. 2 :		Mr. Brahamputra Singh Ishu, Advocate
		Ms. Poonam Kumari , Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 01-09-2023 Heard learned counsel for the parties.

2. This appeal has been filed for setting aside order dated 12.01.2023 passed in a case registered for the offence punishable under sections 341, 323, 504, 506, 354, 379, 307, 147 and 149 of the Indian Penal Code and sections 3(i)(r)(s) (f)/3(2)(v)(a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for



anticipatory bail of the appellant has been rejected.

3. As per the prosecution case , this appellant assaulted the informant by means of iron rod and abused him by caste name .

4. It is submitted that due to land dispute a quarrel took place between the parties in which both sides sustained injury. Case and counter case. F.I.R has been lodged after the delay of one month five days for which there is no plausible explanation which itself cast doubt over the veracity of the entire prosecution case . Lastly , it is submitted that it is not a case of prosecution that any member of public was present at the place of occurrence , as such , no offence under section sc/st is made out against the petitioner. Appellant claims clean antecedent.

5. Counsel for the parties oppose the prayer for bail.

6. Considering the aforesaid facts, this appeal is allowed and the impugned order is set aside. Let the appellant, named above, in the event of arrest/surrender within a period of eight weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A . D. J . -I Cum Special Judge ,



S.C./S.T., Act Muzaffarpur in connection with Gaighat Police
Station Case No. 419 of 2022 .

(Prabhat Kumar Singh, J)

Kaushik/-

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