

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1995 of 2023

Arising Out of PS. Case No.-237 Year-2020 Thana- WAJIRGANJ District- Gaya

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RAMJANAM DAS @ RAMJATAN DAS @ RAMJATAN RAVIDAS Son of
Jageshwar Das R/V- Manaini PS- Wazirganj, Dist- Gaya

... .. Appellant.

Versus

1. The State of Bihar.
2. Bhushan Chaudhary Son of Late Saryu Chaudhary R/V- Pipra, PS-
Wazirganj, Dist- Gaya

... .. Respondents.

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Appearance :

For the Appellant	:	Mr. Ajay Kumar Sinha
For the State	:	Mr. Binay Krishna
For the Respondent No.2	:	Mr. Vinod Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 26-07-2023 Heard learned counsel for the appellant, learned
counsel for the 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, 1989 (hereinafter in short referred to as the
'SC/ST Act') against the refusal of prayer of anticipatory bail
vide order dated 17.03.2023 passed by learned Exclusive
Special Judge (SC/ST Act), Gaya in connection with Wazirganj
P.S. Case No. 237 of 2020 registered under Sections 143, 341,
342, 323, 307, 504, 506 & 379 of the Indian Penal Code and
Section 3(i) (r) (s) 3 (2) (va) of the Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act.



3. Four accused and 20-25 unknown including this appellant is said to have assaulted the informant and others causing serious injuries to them.

4. It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case with a view to extort money. It is further submitted that the occurrence was free fight and as such intention of causing death cannot be gathered. It is further submitted that from perusal of the F.I.R. it is clear that appellant has no role in the entire episode. It is further submitted that the appellant after tying the neck of the son of the informant dragged him but no injury has been found. The allegation levelled against the appellant is not specific rather general and omnibus in nature. Appellant has no criminal antecedent as mentioned in para-3 of this memo of appeal.

5. Learned Spl. PP for the State assisted by learned counsel for the respondent no.2 opposed the prayer for bail.

6. In the facts and circumstances of the case, 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 released 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 Wazirganj P.S. Case No.237 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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

(Anjani Kumar Sharan, J)

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