

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.3765 of 2021**

Arising Out of PS. Case No.-112 Year-2020 Thana- IMAMGANJ District- Gaya

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1. MATHURA YADAV Son of Late Rameshwar Yadav Resident of village - Loknachak, P.S.- Imamganj, Dist.- Gaya
  2. Manki Yadav Son of Rakeshwar Yadav Resident of village - Loknachak, P.S.- Imamganj, Dist.- Gaya
  3. Lakhan Yadav Son of Late Jagu Yadav Resident of village - Loknachak, P.S.- Imamganj, Dist.- Gaya
  4. Vifan Yadav Son of Late Jagu Yadav Resident of village - Loknachak, P.S.- Imamganj, Dist.- Gaya
  5. Bachu Yadav Son of Krishna Yadav Resident of village - Loknachak, P.S.- Imamganj, Dist.- Gaya
  6. Vijay Yadav Son of Krishna Yadav Resident of village - Loknachak, P.S.- Imamganj, Dist.- Gaya
  7. Rahul Yadav Son of Krishna Yadav Resident of village - Loknachak, P.S.- Imamganj, Dist.- Gaya
  8. Chotu Yadav Son of Krishna Yadav Resident of village - Loknachak, P.S.- Imamganj, Dist.- Gaya
  9. Dhananjay Yadav Son of Mathura Yadav Resident of village - Loknachak, P.S.- Imamganj, Dist.- Gaya
  10. Bharat Yadav Son of Mathura Yadav Resident of village - Loknachak, P.S.- Imamganj, Dist.- Gaya
  11. Uday Yadav Son of Mathura Yadav Resident of village - Loknachak, P.S.- Imamganj, Dist.- Gaya
  12. Babloo Yadav Son of Mathura Yadav Resident of village - Loknachak, P.S.- Imamganj, Dist.- Gaya
  13. Sanjay Yadav Son of Lakhan Yadav Resident of village - Loknachak, P.S.- Imamganj, Dist.- Gaya
  14. Akhlesh Yadav Son of Manki Yadav Resident of village - Loknachak, P.S.- Imamganj, Dist.- Gaya
  15. Pintu Yadav Son of Vifan Yadav Resident of village - Loknachak, P.S.- Imamganj, Dist.- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Sharda Devi Wife of Rakesh Kumar Resident of village - Loknachak, P.S.- Imamganj, Dist.- Gaya

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr.S. Jamil Akhtar, Adv.



For the State : Mr.Sadanand Paswan, APP  
For the Informant : Mr. Anil Kumar Singh, Adv.  
Mr. Sudhir Kumar Sinha, Adv.

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

6      18-01-2023                      Heard learned counsel for the appellants and learned Special Public Prosecutor for the State assisted by learned counsel for the informant.

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 16.09.2020 passed by learned Exclusive Special Court SC/ST, Gaya in connection with Imamganj P.S. Case No. 112/2020 registered under Sections 147, 148, 149, 341, 323, 324, 325 and 307 of the Indian Penal Code and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

It is submitted by learned counsel for the appellants that the appellants have no concern with the aforesaid occurrence. There is no allegation of slating the informant by taking his caste name. Hence, no case is made out against the appellants under SC/ST Act. There is specific allegation against appellant nos.2 & 3 and there is general and omnibus allegation levelled against the rest of the appellants. Appellants



have no one criminal antecedent as mentioned in para-3 of memo of appeal.

Learned Spl. PP for the State along with learned counsel for the informant opposes the prayer for bail and submits that all the appellants are involved in the present case. Hence, they do not deserve anticipatory bail.

In the facts and circumstances of the case and the fact that there is no allegation against the appellants to abuse the informant by taking the caste name, let 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 bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court SC/ST, Gaya in connection with Imamganj P.S. Case No. 112/2020, 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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