

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2844 of 2023

Arising Out of PS. Case No.-399 Year-2022 Thana- DHANARUA District- Patna

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RANJAN YADAV @ RANJAY KUMAR SON OF SIDHNATH YADAV @
GYANENDRA KUMAR RESIDENT OF VILLAGE- ALIPUR, PS-
DHANAURA, DISTRICT- PATNA

... .. Appellant/s

Versus

1. The State of Bihar
2. MOSAFIR MANJHI SON OF LATE BALBESHER MANJHI RESIDENT
OF VILLAGE- SADISOPUR, PS- DHANARUA, DISTRICT- PATNA

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Gajanan Mishra, Adv.
For the Respondent/s : Mr.Sadanand Paswan, Spl.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 20-09-2023 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. Learned Spl.P.P. for the State informs that he informed the
informant of this case for his appearance in this case but nobody
appears on his behalf.

3. This is an appeal under section 14(A)(ii) 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 anticipatory bail vide order dated
28.02.2023, passed by learned Exclusive Special Judge (SC/ST)
Patna, in connection with Dhanarua P.S. Case No.399 of 2022,
registered under sections 341, 323, 324, 325, 307, 354(B), 504,



506/34 of the IPC and sections 3(i)(r)(s) of the SC/ST Act.

4. Allegation against the appellant is that he assaulted the informant by means of desi katta on his head and abused the informant.

5. It is submitted by learned counsel for the appellant that the appellant is innocent and has not committed any offence. No such occurrence as alleged ever taken place. Appellant has been falsely implicated in the case with frivolous allegation. It is submitted that no offence under the SC/ST Act is made out against the appellant as the occurrence is not said to have taken place in the public view. The injury of the informant was found simple in nature, which is clear from Annexure-2 of the memo of appeal. Appellant has no criminal antecedent.

6. Learned Spl. PP for the State opposed the prayer for bail.

7. Considering the facts and circumstances of the case, since the injury was found simple in nature and there is general and omnibus allegation against the appellant to abuse the informant by taking caste specific name, as such, the appellant named above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on furnishing bail bond of Rs.25,000/- (Rs. Twenty Five Thousand) each with two sureties of the like



amount each to the satisfaction of the learned Exclusive Special Judge (SC/ST) Patna, in connection with Dhanarua P.S. Case No.399 of 2022, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

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

(Anjani Kumar Sharan, J)

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