

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3066 of 2023

Arising Out of PS. Case No.-217 Year-2023 Thana- JAMUI District- Jamui

1. Suresh Yadav Son Of Late Prabhu Yadav Resident Of Village - Dundo, Tola - Taradih, P.S. - Jamui, Distt. - Jamui
2. Ratan Kumar @ Ratan Yadav Son Of Sakindra Yadav Resident Of Village - Dundo, Tola - Taradih, P.S. - Jamui, Distt. - Jamui
3. Pradeep Yadav @ Shali Yadav @ Shalik Yadav @ Pradeep Kumar Son Of Late Prabhu Yadav Resident Of Village - Dundo, Tola - Taradih, P.S. - Jamui, Distt. - Jamui
4. Rajeev Kumar @ Karu Yadav Son Of Chandrika Yadav Resident Of Village - Dundo, Tola - Taradih, P.S. - Jamui, Distt. - Jamui

... .. Appellant/s

Versus

1. The State of Bihar
2. Pinku Paswan Son of Suresh Paswan Resident of village - Dundo, P.S. - Jamui, Distt. - Jamui,

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Pramod Kumar

For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-10-2023 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 19.05.2023, passed by learned Additional District Judge-1st-cum-Special Judge (SC/ST Act), Jamui in connection with Jamui P.S. Case No. 217 of 2023, registered under Sections 341, 323, 307, 504, 506 of the IPC and Sections 3(i) (r) (S), 3



(2) (vi) of SC/ST Act.

3. Appellants are said to have assaulted the informant. They also abused him by taking caste name and misbehaved with the female members.

4. Learned counsel for the appellants submits that the appellants are innocent 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 submits that occurrence took place inside the house, therefore, no offence under the SC/ST Act is made out against the appellants. He further submits that appellants have no criminal antecedent as stated in para-3 of this appeal.

5. However, learned Special PP for the State and learned counsel for the respondent no. 2 oppose the prayer for bail.

6. Considering the facts and circumstances of the case, 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 bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with



two sureties of the like amount each to the satisfaction of the learned Additional District Judge-1st-cum-Special Judge (SC/ST Act), Jamui in connection with Jamui P.S. Case No. 217 of 2023, 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 the appeal is allowed.

(Anjani Kumar Sharan, J)

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