

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3521 of 2023

Arising Out of PS. Case No.-24 Year-2023 Thana- BIHTA District- Patna

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1. RANJEET KUMAR @ RANJEET YADAV @ INDRAJEET KUMAR SON OF KAMESHWAR PRASAD RESIDENT OF VILLAGE- MOHANPUR, PS- MANER, DISTT- PATNA
 2. PREMJEET @ GOLU YADAV SON OF RAMESH SINGH RESIDENT OF VILLAGE- MOHANPUR, PS- MANER, DISTT- PATNA
 3. CHUNNU KUMAR @ CHUNNU YADAV SON OF ASHOK KUMAR RESIDENT OF VILLAGE- MOHANPUR, PS- MANER, DISTT- PATNA
 4. BITTU YADAV @ ALOK KUMAR SON OF RAM SHANKAR SINGH RESIDENT OF VILLAGE- MOHANPUR, PS- MANER, DISTT- PATNA
 5. SUNNY YADAV @ DHANRAJ KUMAR SON OF LATE JITAN RAI RESIDENT OF VILLAGE- MOHANPUR, PS- MANER, DISTT- PATNA

... .. Appellant/s

Versus

1. The State of Bihar
2. RAMPRAVESH MANJHI SON OF RAGHUBIR MANJHI RESIDENT OF VILLAGE- BAHUPURA, PS- BIHTA, DISTT- PATNA

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Anis Akhtar, Adv. Mr. Rananjay Kumar, Adv.
For the Respondent/s	:	Mr. Binay Krishna, APP. Mr. Rajiv Ranjan, Adv. Mr. Dhananjay Kumar Gupta, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-11-2023 Heard learned counsels for the parties.

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 30.06.2023 passed by learned Exclusive



Special Court, SC/ST Act, Patna in connection with Bihta P.S. Case No. 24 of 2023 registered under Sections 341, 323, 307, 504, 506, 427, 452, 349 of the Indian Penal Code, Section 3(i)(r) (s)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and Section 27 of Arms Act.

3. The prosecution case, in brief, is that on 09.01.2023 at about 05:30 P.M., appellant nos. 1 & 5 came at the house of the informant and demanded wine from sister-in-law of the informant and when she refused for the same, they assaulted her as well as the son of the informant. They also abused the informant and his family members. Thereafter, at about 07:30 PM, all the appellants along with 15-20 unknown persons, having armed with deadly weapons, came at the house of the informant and assaulted him and his family members.

4. It is submitted by learned counsel for the appellants that the appellants are quite innocent and have committed no offence. They have no concern with the aforesaid occurrence. They have been falsely implicated in the case due to dirty village politics. The allegation of assault and abuse levelled against the appellants is not specific rather general and omnibus in nature. It is further submitted that there is compromise between the parties. This fact is also not denied by learned



counsel for the informant. Appellants have no criminal antecedent as mentioned in para-3 of memo of appeal.

5. Learned Spl. PP for the State as well as learned counsel for the informant opposed the prayer for bail.

6. In the facts and circumstances of the case, as there is compromise between the parties, 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 Exclusive Special Court, SC/ST Act, Patna in connection with Bihta P.S. Case No. 24 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 this appeal is allowed.

(Anjani Kumar Sharan, J)

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