

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.948 of 2021**

Arising Out of PS. Case No.-34 Year-2020 Thana- BADHAILA District- Rohtas

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Kumed Yadav S/O Jamindar Yadav Resident Of Village - Karan, P.S-
Baghaila, Dist- Rohtas

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Siddharth Harsh

For the Respondent/s : Mr. Sadanand Paswan

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

4 15-03-2023 Heard learned counsel for the parties.

Learned Spl. P.P. for the State submits that he has
informed the informant but nobody appears on his behalf.

I.A. No. 01 of 2023

In view of the order dated 10.01.2022 passed by the
Hon'ble Apex Court in Misc. Application No. 21 of 2022 and
other analogous cases, the delay in filing the present appeal is
condoned.

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 04.09.2020, passed by
learned 1st Additional District and Sessions Judge, Rohtas at
Sasaram in connection with Baghaila P.S. Case No. 34 of 2020,
registered under Sections 323, 325, 341, 353, 504, 506, 120B,



34 of the IPC, Section 27 of the Arms Act and Sections 3(i) (r) (S) of SC/ST Act.

It is submitted by learned counsel for the appellant that the appellant is innocent and has been falsely implicated in this case. He submits that there is no specific overt act against the appellant to abuse the informant by taking caste name. He submits that there is general and omnibus allegation levelled against the appellant. He further submits that appellant has no criminal antecedent as stated in para-3 of this appeal.

However, learned Spl. PP for the State opposes the prayer for bail and submits that there is specific allegation against the appellant to abuse the informant by taking caste name and the injury found upon the victim is grievous in nature.

Considering the facts and circumstances of the case, I am not inclined to enlarge the appellant on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Baghaila P.S. Case No. 34 of 2020.

(Anjani Kumar Sharan, J)

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