

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.3565 of 2022**

Arising Out of PS. Case No.-474 Year-2022 Thana- DAUDNAGAR District- Aurangabad

Akhilesh Singh @ Akhilesh Yadav S/O Chandradeep Singh Resident Of  
Village- Khairadeep P.S.- Daud Nagar District- Aurangabad

... .. Appellant/S

Versus

1. The State Of Bihar
2. Shrawan Ram S/O Sohrai Ram Resident Of Village- Khairadeep P.S.- Daud Nagar District Aurangabad.

... .. Respondent/s

**Appearance :**

|                      |   |                                            |
|----------------------|---|--------------------------------------------|
| For the Appellant/s  | : | Mr.Binod Kumar Pandey, Advocate            |
| For the Respondent/s | : | Mr.Sadanand Paswan, Spl. Public Prosecutor |
| for respondent no.2  |   | Mr Ashok Kr.Singh, Advocate                |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      19-07-2023                      Heard learned counsel for the appellant, the State and  
the respondent no.2.

2. This appeal has been filed for setting aside order dated 19.9.2022, passed in a case registered for the offence punishable under sections and other allied sections 341, 323, 504/34 of the Indian Penal Code and sections 3(i)(r)(s)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby the prayer for anticipatory bail of the appellant has been rejected.

3. As per the prosecution case, all the accused persons including this appellant abused respondent no.2 by caste name and assaulted him and his son.

4. Learned counsel appearing for the appellant submits that due to petty dispute, quarrel took place between the parties in which respondent no.2 sustained minor injury. Allegation of assault is general against this appellant and no



specific overt act has been alleged against him. Incident did not take place within public view, as such, no case under SC/ST Act is made out. Appellant claims clean antecedent.

5. Counsel for the State and the respondent no.2 oppose the prayer for bail.

6. Considering the aforesaid facts, this appeal is allowed and the impugned order is set aside. Let the appellant, named above, in the event of arrest/surrender within a period of eight weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge I cum Special Judge, SC/ST Act, Aurangabad in Daudnagar Police Station Case No. 474 of 2022.

**(Prabhat Kumar Singh, J)**

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