

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4160 of 2023

Arising Out of PS. Case No.-791 Year-2023 Thana- TURKAULIYA District- East
Champaran

Pradeep Paswan Son Of Ramjanam Paswan Resident Of Village - Turkauliya,
Asharfi Sah Tola, Police Station - Turkauliya, District - East Champaran

... .. Appellant/s

Versus

1. The State Of Bihar
2. Ramjanam Paswan Wife Of Late Ramawtar Paswan Resident Of Village -
Turkauliya, Asharfi Sah Tola, Police Station - Turkauliya, District - East
Champaran

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Karandeep Kumar, Advocate
For the Respondent/s	:	Mr. Pawan Kumar Chaurasia, Spl. P.P
	:	Mr. Abhishek Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 20-12-2023 Heard learned counsel for the appellant and learned

Special Public Prosecutor for the State assisted by learned

counsel for the respondent no.2.

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 23.08.2023 passed by learned Special Judge,
SC/ST Act in connection with Turkauliya P.S. Case No. 791 of
2023 registered under Sections 384 and 34 of the Indian Penal
Code and Section 3(i)(r)(s) of the Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act.



3. As per the prosecution case, allegation against the petitioner that he has demanded ransom of Rs.4,00,000/- from the informant and also cthreatened to kill him..

4. It is submitted by learned counsel for the appellant that the appellant have no concern with the aforesaid occurrence. There is family dispute between the parties. There is case and counter case between the parties. There is no allegation of slating the informant in the specific name of his caste. Hence, no offence under Section SC/ST Act is made out against the appellant. Appellant has got four criminal antecedents as mentioned in para-3 of memo of appeal.

5. Learned Spl. PP for the State along with learned counsel for the respondent no.2 opposes the prayer for bail and submits that the appellant abused the respondent no.2/informant by taking caste name.

6. Considering the facts and circumstances of the case and allegation in the FIR, I am not inclined to enlarge the appellant on bail in connection with Turkauliya P.S. Case No. 791/2023. Accordingly, his prayer for bail is hereby rejected.

7. However, if the appellant surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the



order, preferably, on the same day, without being prejudiced by
this order.

(Anjani Kumar Sharan, J)

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