

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4074 of 2022

Arising Out of PS. Case No.-72 Year-2022 Thana- BHADAUR District- Patna

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1. MUKESH CHAUHAN @ MUKESH LAL CHOUHAN S/O SUBELAL CHAUHAN Resident of village- Kajichak, P.S.- Bhadour, District- Patna.
 2. JUGESHWAR CHAUHAN @ JUGESH CHOUHAN S/O SUBELAL CHAUHAN Resident of village- Kajichak, P.S.- Bhadour, District- Patna.
 3. RAJIV CHAUHAN @ RAJIV RANJAN CHAUHAN S/O SUBELAL CHAUHAN Resident of village- Kajichak, P.S.- Bhadour, District- Patna.
 4. RAMESH CHAUHAN @ RAMESH KUMAR @ RAMESH S/O SUBELAL CHAUHAN Resident of village- Kajichak, P.S.- Bhadour, District- Patna.
 5. NAG RAJ CHAUHAN @ NAG RAJ KUMAR @ NAGRAJ S/O SUBELAL CHAUHAN Resident of village- Kajichak, P.S.- Bhadour, District- Patna.
 6. PINTU CHAUHAN S/O SHIV NATH CHAUHAN Resident of village- Kajichak, P.S.- Bhadour, District- Patna.

... .. Appellant/s

Versus

1. The State of Bihar
2. PRAMANAND PASWAN S/O LATE SITARAM PASWAN Resident of village- Kajichak, Beldari, P.S.- Bhadaur, District- Patna.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Gyanendra Kumar Singh
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 19-04-2023 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

Learned Special Public Prosecutor for the State
informs this Court that he has complied the order dated
02.03.2023 but nobody appeared on behalf of the respondent
no.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 14.10.2022 passed by learned Special Judge, SC/ST, Patna in connection with Bhadour P.S. Case No. 72 of 2022, registered under Sections 341, 342, 323, 379, 504 and 506/34 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

It is submitted by learned counsel for the appellants that the appellants have no concern with the aforesaid occurrence. There is general and omnibus allegations levelled against the appellants. There is no specific overt act against any of these appellants. The allegation against the appellants is that they along with other co-accused persons have abused the informant and thereafter assaulted them by means of iron rod and the reason behind this incident is that a quarrel took place between the son of the informant and son of one Subelal Chauhan in the scuffle took place between them and in the said scuffle they have snatched Rs. 10,000/- from the informant and also threatened him with dire consequences. Appellants have



got no criminal antecedent as mentioned in para-3 of memo of appeal.

Learned Spl. PP for the State opposes the prayer for bail.

In the facts and circumstances of the case and the fact that there is no specific overt act against the appellants, 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 bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST, Patna in connection with Bhadour P.S. Case No. 72 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

Accordingly, the impugned order is set aside and this appeal is allowed.

(Anjani Kumar Sharan, J)

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