

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.209 of 2024

Arising Out of PS. Case No.-254 Year-2023 Thana- PANAPUR District- Saran

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Vinod Patel @ Vinod Kumar S/O Pyar Chand @ Pyar Chand Patel R/O
Village- Balaur, P.S- Panapur, Distt.- Saran At Chapra.

... .. Appellant/s

Versus

1. The State Of Bihar
2. Suganti Devi W/O Dhup Nath Ram R/O Village- Panapur, Distt.- Saran At Chapra.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Ms. Rajani Kumari, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. Public Prosecutor
		Mr. Rajesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-09-2024 Heard learned counsel for the appellant, respondent
No. 2 and the State.

2. This criminal appeal has been filed against the order dated 07.12.2023 passed by learned SC/ST Exclusive Special Judge, Saran at Chapra in connection with Panapur P.S. Case No. 254 of 2023 *vide* ABP No. 4143 of 2023 registered under Sections 341, 323, 324, 325, 504, 506/34 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby anticipatory bail of appellant stood dismissed as not maintainable.

3. As per prosecution case, on the alleged date and



time of occurrence, all the F.I.R. named accused persons, including this appellant, were keeping concrete on the land of informant and when he protested, all the accused persons abused him by caste name and assaulted him.

4. Learned counsel for the appellant submits that appellant is innocent and has committed no offence. There is admitted land dispute between the parties due to which this false and concocted has been lodged against appellant and others. Allegation of assault is general and omnibus. Injury allegedly caused by this appellant is simple in nature. F.I.R. is silent about who, member of the public, was present when the incident occurred, as such, no offence under SC/ST Act is made out against appellant. Appellant claims clean antecedent.

5. Learned Spl. Public Prosecutor for the State and learned counsel for the respondent No. 2 vehemently opposed the bail application.

6. Considering the aforesaid facts, let the appellant, as named above, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of SC/ST Exclusive Special Judge, Saran at Chapra in connection with



Panapur P.S. Case No. 254 of 2023 *vide* ABP No. 4143 of 2023.

7. Accordingly, the impugned order dated 07.12.2023
is set aside and this criminal appeal is allowed.

(Prabhat Kumar Singh, J)

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