

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.252 of 2024**

Arising Out of PS. Case No.-250 Year-2023 Thana- BHELDI District- Saran

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1. Rohan Kumar @ Rohan Kumar Singh S/o- Rajesh Kumar Singh @ Rajesh Singh village- Basdih ,P.S- Bheldi , District -Saran
 2. Rajesh Kumar Singh @ Rajesh Singh S/o- Kripa Singh village- Basdih ,P.S- Bheldi , District -Saran

... .. Appellant/s

Versus

1. The State of Bihar
2. Ram Niwas Kumar son of Dasrath Manjhi village- Basdih ,PO- Madarpur ,P.S- Bheldi , District -Saran

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ashok Kumar, Adv.
For the Respondent/s	:	Ms. Usha Kumari 1, Spl. P.P. Mr. Shatrughna Pandey, Adv.

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

3 12-09-2024 Heard learned counsel for the appellants, learned

Spl. Public Prosecutor appearing on behalf of the State and

learned counsel for the Respondent No. 2.

2. This appeal has been filed against the order dated
15.12.2023 passed by learned SC/ST Exclusive Special Judge,
Saran at Chapra in connection with A.B.P. No. 4325 of 2023
arising out of Bheldi P.S. Case No. 250 of 2023, registered
under Sections 341, 323, 324, 379, 504, 506/34 of the Indian
Penal Code and Sections 3(1)(r)(s) of Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act, whereby the



prayer for anticipatory bail of appellants has been rejected.

3. On the alleged date and time of occurrence, these appellants along with other accused persons assaulted informant with deadly weapons and abused him by caste name.

4. Learned counsel for the appellants submits that appellants are innocent and have falsely been implicated in the present case due to dirty village politics. Further submission is that the injuries allegedly caused by these appellants are simple in nature. The F.I.R. does not reveal that any member of public was present at the time of incidence, as such, no offence under SC/ST Act is made out. Appellants claim clean antecedent.

5. Learned Spl. Public Prosecutor for the State and learned counsel for the respondent no. 2 oppose the bail application and submit that appellants are named in the First Information Report with allegation of assault and abuse.

6. Considering the aforesaid facts and circumstances of the case as well as the rival submissions advanced on behalf of the parties, let the appellants, as named above, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned SC/ST Exclusive Special Judge, Saran at



Chapra in connection with A.B.P. No. 4325 of 2023 arising out
of Bheldi P.S. Case No. 250 of 2023.

7. Accordingly, the impugned order dated 15.12.2023
is set aside and this criminal appeal is allowed.

(Prabhat Kumar Singh, J)

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