

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.537 of 2024

Arising Out of PS. Case No.-736 Year-2022 Thana- WAJIRGANJ District- Gaya

Sanjeet Singh @ Sanjeet Kumar S/o- Late Umesh Singh Village- Manaini Ps-
Wazirganj Dist- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Ankar Chaudhary son of Rampravesh Chaudhary village- Manaini Ps-
Wazirganj Dist- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s : Ms. Preety Kunwar, Advocate

For the Respondent/s : Mr. Binay Krishna, Spl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-09-2024 Despite valid service of notice, none appears on
behalf of the respondent No. 2.

2. Heard learned counsel for the appellant and the
State.

3. This criminal appeal has been filed against the
order dated 08.01.2024 passed by learned Exclusive Special
Judge, SC/ST Special Court, Gaya in ABP No. 451 of 2023 in
connection with Wazirganj P.S. Case No. 736 of 2022, instituted
under Sections 341, 323, 379, 504/34 of the Indian Penal Code
and Sections 3(1)(r)(s) of the Scheduled Castes and Scheduled
Tribes (Prevention of Atrocities) Act, whereby the prayer for
anticipatory bail of appellant has been rejected.



4. Prosecution case, in brief, is that on 02.12.2022 at about 4:30 PM, while informant was going to the clinic of doctor along with his wife, all the F.I.R. named accused persons including this appellant, armed with deadly weapons, intercepted informant and assaulted them with iron rod, stick, bricks etc. and abused them by caste name.

5. Learned counsel for the appellant submits that allegation of assault and abuse against appellant is general and omnibus. No specific overt act is alleged against appellant. F.I.R. does not disclose presence of any member of public when the incident occurred, as such, no offence under SC/ST Act is made out against appellant. Appellant claims clean antecedent.

6. Learned Spl. Public Prosecutor for the State opposed the bail application.

7. Considering the aforesaid facts, let the appellant, as named above, in the event of his arrest/surrender within a period of eight 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 learned Exclusive Special Judge, SC/ST Special Court, Gaya in connection with Wazirganj P.S. Case No. 736 of 2022.

8. Accordingly, this criminal appeal is allowed and



impugned order dated 08.01.2024 is set aside with respect to
this appellant only.

(Prabhat Kumar Singh, J)

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