

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.970 of 2024

Arising Out of PS. Case No.-365 Year-2023 Thana- MURLIGANJ District- Madhepura

Arun Yadav @ Arun Kumar Son Of Jay Krishna Yadav R/O-Rahta Khari,
P.S.-MURLIGANJ, Distt.-MADHEPURA

... .. Appellant/s

Versus

1. The State of Bihar
2. Shukni Devi Wife Of Jay Krishna Sharma R/O-Yadav Nagar, P.S. And Distt.-Madhepura

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Uday Chand Prasad, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl. Public Prosecutor Mr. Praveen Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 3 26-09-2024 Heard learned counsel for the appellant, respondent
No. 2 and the State.

2. This criminal appeal has been filed against the order dated 08.01.2024 passed by learned Additional Sessions Judge-1st-cum-Special Judge, SC/ST Act, Madhepura in ABP No. 1684 of 2022 in connection with Murliganj P.S. Case No. 365 of 2023, instituted under Sections 341, 323, 379, 354B, 504, 506/34 of the Indian Penal Code and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellant has been rejected.

3. Prosecution case, in brief, is that on 01.09.2023 at



about 10:00 AM, while informant was going to going to her sasural, this appellant, riding on motorcycle, intercepted informant and demanded ransom on the point of pistol. It is further alleged that appellant abused informant by caste name, tore her clothes and snatched away Rs. 25,000/-.

4. Learned counsel for the appellant is innocent and has committed no offence. As a matter of fact, both parties are co-villagers and due to petty dispute this false and concocted case has been lodged 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.

5. Learned Spl. Public Prosecutor for the State as well as learned counsel for the respondent No. 2 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 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 Additional Sessions Judge-1st-cum-Special Judge, SC/ST Act, Madhepura in connection with Murliganj P.S. Case No. 365 of 2023.



7. 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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