

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.1187 of 2024**

Arising Out of PS. Case No.-795 Year-2023 Thana- BELAGANJ District- Gaya

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1. Rajnath Thakur Son Of Late Rambrat Thakur R/O-Lakhshman Bigha, P.S.-BELAGANJ, Distt.-GAYA (BIHAR)
  2. Ankaj Kumar @ Rohit Kumar Son Of Ram Nath Thakur R/O-Lakhshman Bigha, P.S.-BELAGANJ, Distt.-GAYA (BIHAR)
  3. Mantu Kumar @ Banti Kumar @ Ghanti Son Of Umesh Thakur @ Mahesh Thakur R/O-Lakhshman Bigha, P.S.-BELAGANJ, Distt.-GAYA (BIHAR)
- ... .. Appellants

Versus

1. The State Of Bihar
  2. Anjali Kumari Duaghter Of Sohdil Paswan R/O-Lakhshman Bigha, P.S.-BELAGANJ, Distt.-GAYA (BIHAR)
- ... .. Respondents

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**Appearance :**

For the Appellants : Mr.Arvind Kumar, Advocate  
For the Respondents : Mr.Sadanand Paswan, Spl.P.P

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

3      18-07-2024                      Heard learned counsel for the appellants, the State and respondent no.2.

2. The present appeal, filed under Section 14-A(2) of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as 'SC/ST Act') has been preferred against the order dated 17.01.2024, passed by the learned Exclusive Special Judge SC/ST (POA) Act, Gaya in connection with SC/ST P.S. case no. 795 of 2023 registered for the offences punishable under Sections 323, 341, 504, 325, 354/34 of the Indian Penal Code and Sections 3(1)(r)(s) and 3(ii)(va) of the SC/ST Act, whereby the prayer for grant of anticipatory bail of the appellants has been rejected.

3. As per the prosecution case, all the FIR named appellants assaulted uncle of respondent no.2 by means of rod and lathi. Accused persons also abused her and snatched golden chain from her neck.

4. Learned counsel appearing for the appellants



submits that due to land dispute, verbal altercation took place between the parties. Taking undue advantage of being Scheduled caste, this false and concocted case has been lodged by respondent no.2 with superficial allegation. There is no allegation of abuse by caste name, as such, no offence under SC/ST Act is made out against these appellants. Appellants claim clean antecedent.

5. Counsel for the State and respondent no.2 oppose the prayer for bail.

6. Considering the aforesaid facts, this appeal is allowed and the impugned order is set aside.

7. Let the appellants, named above, in the event of their arrest/surrender within a period of eight weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Exclusive Special Judge SC ST (POA) Act, Gaya in SC/ST Police Station Case No. 795/2023.

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(Prabhat Kumar Singh, J)

