

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1284 of 2024

Arising Out of PS. Case No.-29 Year-2024 Thana- JOGAPATTI District- West Champaran

Sanoj Kumar @ Sanoj Kumar Mahto, S/o Jhatku Mahto R/o Village
Dularpatti Mishra Tola Ward No.1 PS Sanichari Dist West Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Dipak Ram, S/o Shri Devilal Ram R/o vill - Barwat, P.s. - Bettiah Mufassil,
Distt. - West Champaran

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Aditya Nath Jha
For the Respondent/s : Mr.Usha Kumari I

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 30-04-2024 1. Heard learned counsel for the appellant and the
learned Special Public Prosecutor for the State.
2. The appellant has challenged the order dated
22.02.2024 passed by the learned 1st Additional District &
Sessions Judge-cum- Special Judge, SC/ST, Bettiah, West
Champaran in connection with Yogapatti (Sanichari) P. S. Case
No.29 of 2024, instituted for the offences under Sections 499,
500, 504 and 34 of the Indian Penal Code, Section 67 of the I. T.
Act and Section 3(i)(r)/ 3(2)(va) of the Scheduled Castes &
Scheduled Tribes (Prevention of Atrocities) Act, whereby his
prayer for grant of anticipatory bail has been rejected.
3. The learned counsel for the appellant submits that



appellant is a person with clean antecedent and has been falsely implicated in the instant case by the informant, who claims himself to be the District President of Bhim Sena and alleges that this appellant along with other unknown accused persons abused Dr. Bhim Rao Ambedkar by taking caste name and made video viral.

4. The learned counsel for the appellant submits that the allegation does not inspire confidence for the reason that the F.I.R. does not even remotely suggest that as to what abuse was hurled by the appellant. It is further submitted that stature of Dr. Bhim Rao Ambedkar is such that no educated person can even think of abusing him. It is further submitted that though there is allegation that a video was made viral, but then, the allegation is silent with respect to the fact that what kind of video was made viral, which cast an aspersion on the case of the prosecution.

5. It is next submitted that from perusal of the order impugned, it would manifest that notices were issued on the informant, but the informant chose not to appear, which amply demonstrates that the informant for ulterior reason instituted the instant F.I.R. implicating the appellant with general, omnibus and ornamental allegation.

6. The learned Special P. P. opposes the anticipatory



bail application.

7. Regard being had to the aforesaid submissions, the order dated 22.02.2024 is set-aside.

8. The appeal stands allowed.

9. The appellant, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional District & Sessions Judge-cum- Special Judge, SC/ST, Bettiah, West Champaran in connection with Yogapatti (Sanichari) P. S. Case No.29 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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