

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1728 of 2024**

Arising Out of PS. Case No.-311 Year-2023 Thana- BOCHAHAN District- Muzaffarpur

1. Ranjeet Singh @ Ranjeet Kumar Son Of Kailash Singh Resident Of Village - Karanpur, Tole - Kakrachak, P.S. - Bochahan, District - Muzaffarpur
2. Kailash Singh Son Of Ishwari Bhagat Resident Of Village - Karanpur, Tole - Kakrachak, P.S. - Bochahan, District - Muzaffarpur

... .. Appellants

Versus

1. The State of Bihar
2. Mira Devi Wife Of Bajrangi Paswan Resident Of Village - Karanpur, Tole - Kakrachak, P.S. - Bochahan, District - Muzaffarpur

... .. Respondents

Appearance :

For the Appellants : Mr. Santosh Kumar
For the Respondent : Mr. Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 20-09-2024 Heard learned counsel for the appellants and learned counsel for the informant as well as learned Special Public Prosecutor for the State.

2. This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act against the refusal of prayer for anticipatory bail vide order dated 13.03.2024 passed by the learned Special Judge, SC/ST Act, Muzaffarpur in A.B.A. No. 594 of 2024 arising out of Bochchan P.S. Case No. 311 of 2023 dated 16.06.2023 registered for the offence/s punishable u/s 341, 342, 323, 324, 307, 379, 504 and 506 read with Section 34 of the



Indian Penal Code and 3(i)(r)(s) of the SC/ST Act.

3. As per the prosecution case, on 14.06.2023, the informant's son got married, during the wedding, when the informant alongwith other women went to worship at 'Mai Barham Temple', she was stopped by some women who said that they will worship first. After which, argument happened, they called eight named including the petitioner and 40-50 unknown persons who physically assaulted her. They did not let the informant worship and abused with caste name. The men threw bricks, causing injuries to her and her son (Raushan Kumar). When Ravi Kumar came, the appellant no. 2 Kailash Singh and Awadhesh Singh assaulted Ravi Kumar with Bamboo causing head and nose injuries. The co-accused Meena Kumari took golden chain and ring of Raushan Kumar. The villagers took the injured to Bochcha P.M.C. and S.K.M.C.H., Muzaffarpur, for their treatment.

4. Learned counsel for the appellants has submitted that the appellant have falsely been implicated in this case due to ulterior motive. There is no allegation of hurling of caste related abuse at the informant by the appellants. There is general and omnibus allegation against the appellants. Learned counsel has further submitted that no particular caste name has been



called by the appellants hence no case under the SC/ST Act is made out. There is a case and counter case between the parties. The other co-accused persons have been granted anticipatory bail by the Co-ordinate Bench of this Court vide order dated 16.04.2024 passed in Cr. Appeal (SJ) No. 4538 of 2023. The appellants have no criminal antecedents as stated at para 3 of the bail petition.

5. Learned counsel for the informant as well as learned Spl. P.P. for the State has vehemently opposed the anticipatory bail petition of the appellants.

6. In view of the aforesaid facts and circumstances of the case, the impugned order dated 13.03.2024 passed by the learned Special Judge, SC/ST Act, Muzaffarpur in A.B.A. No. 594 of 2024 arising out of Bochchan P.S. Case No. 311 of 2023, is set aside against the appellants. The criminal appeal is allowed.

7. Accordingly, the above named appellants, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge,



SC/ST Act, Muzaffarpur in A.B.A. No. 594 of 2024 arising out of Bochchan P.S. Case No. 311 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Chandra Prakash Singh, J)

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