

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1755 of 2024

Arising Out of PS. Case No.-303 Year-2023 Thana- MUFFASIL District- Aurangabad

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RANJAN KUMAR YADAV @ RANJAY KUMAR YADAV SON OF NAND
KISHOR YADAV @ NAND KISHOR SINGH RESIDENT OF VILLAGE -
MAYAPUR, P.S. - OBRA, DISTRICT - AURANGABAD (BIHAR)

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. AJAY KUMAR SON OF RAJ KESHWAR RAM RESIDENT OF
VILLAGE - MAYAPUR, P.S. - OBRA, DISTRICT - AURANGABAD
(BIHAR)

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Ranjit Kumar

For the Respondent/s : Mr.Binay Krishna

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 21-09-2024 Heard the learned counsel for the parties.

2. This memo of appeal has been preferred on behalf of the appellant under Section 14(A)(2) of the Scheduled Castes and Schedule Tribes (Prevention of Atrocities) Act, 1989, hereinafter to be referred to as ‘the Act’, for setting aside the order dated 27.01.2024 passed by the learned court of Special Judge (SC/ST)-cum-1st Additional District and Sessions Judge, Aurangabad in connection with Aurangabad Muffasil P.S.Case No. 303 of 2023, registered for the offences punishable under Sections 341, 323, 324, 504 and 506/34 of the Indian Penal Code and Sections 3(1)(r)(s)/3(2) (v-a) of the Act, whereby the



prayer for bail of the appellant has been rejected.

3. As per allegation, while the informant was coming from his sister's house, he was intercepted by the appellant and two other unknown accused persons and was abused by calling his caste name. The accused persons also tried to assault the appellant by means of knife and in the process of resistance, he sustained injury on his hand.

4. The learned counsel for the appellant has submitted that the appellant is innocent and has falsely been implicated on account of village politics and as such, the occurrence cannot be said to have taken place having been driven by the caste identity of the informant and the provisions of the SC/ST Act are not attracted. It has further been submitted that the appellant is in custody since 29.08.2023.

5. On the other hand, the learned counsel for the informant has opposed the prayer for bail.

6. Considering the above facts and circumstances, and also keeping in view the period of incarceration since 29.08.2023, the appeal is allowed and the impugned order dated 27.01.2024 is set aside. Accordingly, let the appellant, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each



to the satisfaction of learned Special Judge (SC/ST)-cum-1st
Additional District and Sessions Judge, Aurangabad in
connection with Aurangabad Muffasil P.S.Case No. 303 of
2023.

(Nawneet Kumar Pandey, J)

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