

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1780 of 2024

Arising Out of PS. Case No.-14 Year-2024 Thana- SACHIVALAYA District- Patna

Harendra Prasad Yadav Son of Ramesh Prasad Yadav Resident of Village-
Tilakpura, P.O.- Amahara, P.S.- Naubatpur, Dist.- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Electrical Executive Engineer, Balbir Chandra Bharti Electric Work Division
No.3, P.S.- Sachiwalya, Dist.- Patna

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Shivanand Singh, Adv.
For the Respondent/s	:	Mrs.Usha Kumari 1, Spl.P.P. Mr.Vinay Kirti Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 25-10-2024 Heard learned counsel for the appellant, learned counsel
for the respondent no.2 and learned Spl.P.P. for the State.

2. This is an appeal under section 14A(2) of the SC/ST Act
against the refusal of prayer for anticipatory bail vide order
dated 23.03.2024, passed by learned Exclusive Special Court,
SC/ST, Patna, in connection with Sachiwalaya P.S. Case No.14
of 2024, registered under sections 341, 323, 353, 504 of the IPC
and sections 3(I)(r) 3(1)(s) and 3(2)(va) of the SC and ST Act.

3. As per the F.I.R., the appellant being a Contractor is said
to have abused the Junior Engineer namely Bharat Ram of the
Bihar Vidhan Mandal on his mobile phone and created



hindrance in discharge of his official work.

4. It is submitted by learned counsel for the appellant that the appellant is innocent and has not committed any offence. No such occurrence, as alleged, has ever taken place. Appellant has been falsely implicated in the case with frivolous allegation. It is submitted that no offence under the SC/ST Act is made out against the appellant as the occurrence of abusing the Junior Engineer is not said to have taken place in the public view. From perusal of the impugned order, it is evident that the informant did not appear before the Court below and the so-called victim Bharat Ram appeared before the Court on 07.02.2024 and filed a petition stating that he has no concern with the said incident and is not interested in continuing with the aforesaid case. Appellant has no criminal antecedent.

5. Learned Spl. PP for the State as well as learned counsel for the respondent no.2 opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, the appellant named above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on furnishing bail bond of Rs.25,000/- (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned



Exclusive Special Court, SC/ST, Patna, in connection with
Sachiwalaya P.S. Case No.14 of 2024, subject to the condition
as laid down under section 438 (2) of the Cr.P.C.

7. Accordingly, the impugned order is set aside and this
appeal is allowed.

(Anjani Kumar Sharan, J)

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