

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1881 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- SC/ST District- Siwan

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1. Bittu Kumar Yadav @ Bittu S/o- Sudarshan Yadav Village- Ruiya Ps- Jeeradei Dist- Siwan
 2. Sunil Yadav @ Sunil @ Sunil Kumar Yadav son of Late Vijay Yadav @ Bija Yadav Village- Ruiya Ps- Jeeradei Dist- Siwan

... .. Appellant/s

Versus

1. The State of Bihar
2. Srikant Gond son of Sri Brijanand Gond Village- Ruiya Ps- Jeeradei Dist- Siwan

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Bijay Prakash Singh
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 04-12-2024 Heard learned counsel for the appellants, respondent no. 2 and 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, (hereinafter in short referred to as the ‘SC/ST Act’) against the refusal of prayer for bail vide order dated 24.02.2024, passed by learned 1st Additional Sessions Judge-cum-Special Judge, Siwan in connection with Siwan SC/ST P.S. Case No. 01 of 2024, registered under Sections 341, 323, 324, 427, 379, 504, 506, 34 of the IPC and Sections 3(i) (r) 3 (i) (S), 3 (2) (va) of SC/ST Act.

3. Appellants are said to have abused the informant by



taking caste name and also assaulted him.

4. It is submitted by learned counsel for the appellants that the appellants are innocent and have been falsely implicated in this case. He submits that there is general and omnibus allegation levelled against the appellant. He submits that occurrence took place on 14.12.2023 but FIR has been lodged on 02.01.2024 and there is no explanation for delay which creates serious doubt about the prosecution case. He further submits that appellants have no criminal antecedent as stated in para-3 of this appeal.

5. However, learned APP for the State and respondent no. 2 oppose the prayer for bail.

6. Considering the facts and circumstances of the case and the fact that there is general and omnibus allegation against the appellants, let 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 bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge, Siwan in connection with Siwan SC/ST P.S. Case No. 01 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
the appeal is allowed.

(Anjani Kumar Sharan, J)

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