

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1904 of 2024

Arising Out of PS. Case No.-940 Year-2023 Thana- BIHTA District- Patna

Ajay Yadav @ Ajay Kumar S/o- Suresh Ray Village- Dayalpur Ps- Bihta Dist- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Chhotan Das son of Late Jhori Das Rajpur Ps- Bihta Dist- Patna

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Mohit Raj

For the Respondent/s : Mr.Binay Krishna

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

ORAL ORDER

5 13-08-2024 Heard learned counsel for the appellant as well as
learned counsel for the respondent.

2. This appeal has been preferred on behalf of the appellant under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act for setting aside the order dated 19.03.2024 passed by the learned Exclusive Special Judge, SC/ST Act Patna Patna in (Special Case No.) Serial No. 367 of 2024 in connection with Bihta P.S. Case No. 940 of 2023 registered for the offences punishable under Sections 147, 148, 149, 323, 324, 325, 341, 342, 307 of the Indian Penal Code & Section 3(i) (r) (s) and 3 (2) (va) of SC and ST (Prevention of Atrocities) Act, whereby the prayer for bail of the appellant has been rejected.

3. There is specific allegation against the appellant is that he inflicted iron rod blows on the person of the informant and also



assaulted the wife of the informant.

4. Learned counsel for the appellant has submitted that the appellant is innocent and has falsely been implicated in this case. He has further submitted that the appellant is a person of clean antecedent and he is under custody since 29.02.2024. He has also submitted that there is land dispute between the parties. The wife of the informant executed a sale deed in favour of mother of the appellant and the informant was making pressure upon the appellant as well as his mother to return back that land.

5. In these circumstances, the provisions of SC/ST Act is not attracted prima facie. As such, the appeal is allowed and the impugned order dated 19.03.2024 passed by the learned Exclusive Special Judge, SC/ST Act Patna is set aside.

6. Considering the above-mentioned facts and circumstances, the appellant above-named, shall 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 learned Exclusive Special Judge, SC/ST Act Patna in connection with Bihta P.S. Case No. 940 of 2023.

(Nawneet Kumar Pandey, J)

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