

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3662 of 2021

Arising Out of PS. Case No.-88 Year-2020 Thana- WARISNAGAR District- Samastipur

RAMADHAR RAY Son of Late Aanand Ray Resident of Village- Sari Tole
Chakmurad, P.S.- Warisnagar, District- Samastipur.

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Krishna Devi Ramchandra Sharma R/O Village-Manipur, P.O.-Sari, P.S.-
Warishnagar, (O.P. Mathurapur) District-Samastipur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Bijay Bhushan Prasad , Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. PP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 05-07-2024 Despite valid service of notice nobody appears on
behalf of the respondent No. 2.

2. This appeal has been filed for setting aside order dated 19.08.2021 , passed in a case registered for the offence punishable under sections 500, 504 and 506 and other allied sections of the Indian Penal Code and sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of the appellant has been rejected.

3 . As per the prosecution case , petitioner is alleged to have threatened and abused the respondent.

4. It is submitted on behalf of the appellant that due



to land dispute this false and concocted case has been lodged. Allegation is general and omnibus against the appellant. There is no allegation of abuse by caste name , as such, no case under SC/ST Act is made out. Appellant claims clean antecedent.

5. Counsel for the parties oppose the prayer for bail.

6. Considering the aforesaid facts, this appeal is allowed and the impugned order is set aside. Let the appellant, named above, in the event of arrest/surrender within a period of eight weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge cum Special Judge, SC/St Act, Samastipur in connection with Warsinagar Police Station Case No. 88 of 2020 .

(Prabhat Kumar Singh, J)

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