

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2677 of 2022

Arising Out of PS. Case No.-188 Year-2022 Thana- MUFFASIL District- Aurangabad

-
-
1. Pappu Yadav S/O Suresh Yadav @ Bhagat Yadav Resident Of Village- Bharwar, P.S.- Aurangabad (Muffasil) District- Aurangabad (Bihar).
 2. Pankaj Yadav S/O Suresh Yadav @ Bhagat Yadav Resident Of Village- Bharwar, P.S.- Aurangabad (Muffasil) District- Aurangabad (Bihar).

... .. Appellant/s

Versus

1. The State of Bihar
2. Bishal Kumar S/O Bijendra Paswan R/o Village- Bharwar P.S.- Aurangabad (Muffasil), District- Aurangabad (Bihar).

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ranjit Kumar, Adv.
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. P.P. Ms. Leelawati Kumari, Adv. Mr. Aman Vishal, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 09-05-2024 Heard the parties.

2. This appeal has been filed against the order dated 14.07.2022 passed by Additional District and Sessions Judge-I-cum- Special Judge, SC/ST Act, Aurangabad in connection with A.B.P. No. 977 of 2022 arising out of Aurangabad (Muffasil) P.S. Case No. 188 of 2022, registered under Sections 341, 323, 325, 379, 354A, 504, 34 of the Indian Penal Code and Sections 3(i)(r)(ii)(s)/(va) (2) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellants has been rejected.



3. It is alleged that appellants assaulted the informant and his family members and also abused them by their caste name.

4. Learned counsel for the appellants submits that appellants are innocent and have falsely been implicated in the present case due to dirty village politics. There is general and omnibus allegation against them. It is further submitted that the present case is counter blast of Aurangabad (Muffasil) P.S. Case No. 71 of 2021 which was filed by appellant no. 1 against the informant and his family members. It is not the case of the informant the alleged incident took place within the public view, as such, no offence under SC/ST Act is made out against the appellants.

5. Learned Spl. Public Prosecutor for State and learned counsel for the respondent no. 2 oppose the bail application.

6. Considering the submissions made above, let the appellants, as named above, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional District and Sessions Judge-I-cum- Special Judge, SC/ST Act, Aurangabad in connection with A.B.P. No. 977 of 2022 arising



out of Aurangabad (Muffasil) P.S. Case No. 188 of 2022.

7. Accordingly, the impugned order dated 14.07.2022
is set aside and this criminal appeal is allowed.

(Prabhat Kumar Singh, J)

utkarsh/-

U		T	
---	--	---	--

