

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3211 of 2023

Arising Out of PS. Case No.-640 Year-2022 Thana- KONCH District- Gaya

1. RAVI RANJAN KUMAR SON OF PANCHU YADAV RESIDENT OF VILLAGE- MANJATHI, P.S. KONCH, DISTRICT- GAYA.
2. MANOJ KUMAR SON OF PANCHU YADAV RESIDENT OF VILLAGE- MANJATHI, P.S. KONCH, DISTRICT- GAYA.
3. SANTAN KUMAR SON OF LATE RAMESH RAM RESIDENT OF VILLAGE- MANJATHI, P.S. KONCH, DISTRICT- GAYA.

... .. Appellant/s

Versus

1. The State of Bihar
2. SUNIL KUMAR SON OF LATE KULDEEP PASWAN RESIDENT OF VILLAGE- MANJHATHI, P.S. KONCH, DISTRICT- GAYA

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Anil Kumar Saxena, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl. PP

For OP No. 2 : Samir Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 02-05-2024

Heard learned counsel for the parties.

2. This appeal has been filed for setting aside order dated 04.02.2023 , passed in a case registered for the offence punishable under sections 341, 323, 307, 504 , 506 and other allied sections of the Indian Penal Code and sections 3(i)(r) of the Scheduled Castes and Scheduled Tribes Act, whereby the prayer for anticipatory bail of the appellant has been rejected.

3. As per the prosecution case , when informant was going to Chirchoura with tractor in the meantime all the F.I.R., named accused persons including these appellants assaulted and



abused the informant by caste name .

4. It is submitted that on behalf of the appellants that they have falsely been made accused in this case . As a matter of fact, appellant No. 1 has lodged a F.I.R., bearing Konch P S Case No. 641 of 2022 dated 25.2.2022 instituted under sections 341, 323, 307, 504 , 506 and 34 of the Indian Penal Code against Shourav Kumar who is cousin brother of informant and in retaliation this present false and concocted case has been lodged against these appellants. It is not the case of the prosecution that incident occurred with the public view , as such, no case under SC/ST Act is made out. Rest of the allegations are ornamental in nature. Appellants claim clean antecedent.

5. Counsel for the Spl. PP for the State and OP No. 2 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) each with two sureties of the like amount each to the satisfaction of the learned Exclusive special



Judge, SC/St, Gaya , in connection with Konch Police Station
Case No. 640 of 2022 .

(Prabhat Kumar Singh, J)

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