

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3209 of 2024

Arising Out of PS. Case No.-14 Year-2024 Thana- SC/ST District- Rohtas

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1. VANSHIDHAR YADAV @ VANSHIDHAR SINGH SON OF SAROOP YADAV VILLAGE- TENDUWA, PS- DARIGAON, DIST- ROHTAS
 2. MUKESH YADAV @ MUKESH KUMAR SON OF VANSHIDHAR YADAV @ VANSHIDHAR SINGH VILLAGE- TENDUWA, PS- DARIGAON, DIST- ROHTAS
 3. RAJU YADAV @ RAJU KUMAR SINGH SON OF VANSHIDHAR YADAV @ VANSHIDHAR SINGH VILLAGE- TENDUWA, PS- DARIGAON, DIST- ROHTAS
 4. RAUSHAN YADAV @ RITESH KUMAR SON OF VANSHIDHAR YADAV @ VANSHIDHAR SINGH VILLAGE- TENDUWA, PS- DARIGAON, DIST- ROHTAS
 5. RAJNATH YADAV @ RAJ NATH SINGH SON OF RAMNANDAN YADAV VILLAGE- TENDUWA, PS- DARIGAON, DIST- ROHTAS
 6. MANOJ YADAV @ MANOJ KUMAR SON OF BAHADUR YADAV VILLAGE- TENDUWA, PS- DARIGAON, DIST- ROHTAS

... .. Appellant/s

Versus

1. The State of Bihar BIHAR
2. VISHWANATH RAM SON OF LATE VANSROPAN RAM VILLAGE- TENDUWA, PS- DARIGAON, DIST- ROHTAS

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjay Kumar Tiwary, Advocate
For the Respondent/s : Mr.Sadanand Paswan, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-08-2024 Heard learned counsel for the appellants 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, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide



order dated 10.06.2024 in SC/ST P.S. Case No. 14 of 2024 passed by the learned Additional District and Sessions Judge-XVII -cum- Exclusive Special Judge, SC/ST, Rohtas, Sasaram registered under Sections 147, 149, 341, 323, 504 and 506/34 of the Indian Penal Code as well as Sections 3(1) (r), 3 (1) (s) and 3(2) (va) of the SC/ST Act.

3. Learned counsel for the appellants submit that the appellants are person with clean antecedent and the informant alleges that on 08.02.2024 at 8:00 P.M., the appellants came and started breaking the door of the son of the informant and when his son opened the door, it is alleged that the appellant abused him by taking caste name and when he objected, he was assaulted.

4. It is further submitted that from bare perusal of the allegation as alleged in the FIR, it would manifest that the same does not inspire confidence for the reasons that no specific allegation of hurling abuse or assault against any of the appellants. It is also submitted that even presuming what has been alleged is true without admitting then the entire occurrence took place at the door of the house of the son of the informant and the FIR does not even remotely suggest that the occurrence was witnessed by any independent witnesses.



5. Learned Special Public Prosecutor and the respondent no. 2 opposes the prayer for anticipatory bail but they are not in a position to rebut the submissions made on behalf of the appellants that no specific allegation of hurling, abuse or assault is alleged against any of the appellants nor the occurrence was witnessed by any independent witnesses.

6. Hence, let the appellants, above named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (rupees five thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Satyavrat Verma, J)

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