

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3377 of 2024

Arising Out of PS. Case No.-119 Year-2024 Thana- ARIYARI District- Sheikhpura

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1. Pramila Devi @ Prabila Devi W/o Valmiki Bind R/o Village Gagaura PS Ariyari Dist Sheikhpura
 2. Rohit Bind S/o Ramjee Bind R/o Village Gagaura PS Ariyari Dist Sheikhpura
 3. Ghanshyam Bind S/o Balchand Bind @ Balchandra R/o Village Gagaura PS Ariyari Dist Sheikhpura
 4. Chhotan Bind @ Chhotan Prasad S/o Balchand Bind @ Balchandra R/o Village Gagaura PS Ariyari Dist Sheikhpura
 5. Sohan Bind S/o Balchand Bind @ Balchandra R/o Village Gagaura PS Ariyari Dist Sheikhpura

... .. Appellant/s

Versus

1. The State of Bihar
2. Ram Charitar Manjhi S/o Anik Manjhi R/o Village Gagaura PS Ariyari Dist Sheikhpura

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Rajeev Kumar
For the Respondent-2	:	Mr. Abhishek
		Mr. Arvind Kumar Pandey
		Mr. Varun Krishna Singh
For the State	:	Mr. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 12-12-2024 1. Heard learned counsel for the appellants, learned counsel for the informant and learned Additional Public Prosecutor for the State.
2. An order, dated 29.06.2024, passed by learned Additional District and Sessions Judge I -cum- Special Judge SC/ST Act, Sheikhpura, in ABP No. 354 of 2024, is under challenge in the present appeal preferred under Section



14-A (2) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, 1989, whereby the anticipatory bail application of the appellant in connection with Ariyari Police Station Case No. 119 of 2024 registered for the offence punishable under Sections 341/323/354/324/307/379/504/506 of the Indian Penal Code and Section 3(1)(r)(s) and 3(2)(va) of the Schedule Caste/Schedule Tribe (Prevention of Atrocities) Act, has been rejected.

3. The prosecution case, as per the First Information Report, is that on 10.05.2024, the appellants, along with other co-accused persons, came at the house of the informant, assaulted him by means of lathi and danda and abused the informant and his family members by their caste name due to dispute regarding the PCC work in village under Gali-Nali Scheme being done by the informant. It has further been alleged that when the informant's family members intervened, appellant no. 5 assaulted informant due to which he sustained fracture on his head, appellant no. 1 pulled informant's wife on ground by her hair, appellant no. 6 outraged her modesty and appellant no. 2 snatched gold chain from the wife of the informant.



4. Learned counsel for the appellants submits that the appellants have falsely been implicated in the present case due to village politics. He further submits that there was no intention on the part of the appellants to humiliate the informant and his family members by their caste name and alleged allegation of caste name is not in public view, rather the same is near the house of the informant. He next submits that counter-case, bearing Ariyari Police Station Case No. 121 of 2024, has also been lodged by the side of the appellants against the informant and others. He also submits that no injuries have been caused to the informant and others.
5. Learned counsel for the informant vehemently opposes the prayer for anticipatory bail and submits that there is allegation against the appellants that they assaulted the informant and other, outraged modesty of her wife and also abused by their caste name.
6. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that case and counter-case is there and no injury report is there on record and caste based abuse is not in full public place, I am inclined to grant the



appellants privilege of anticipatory bail.

7. This appeal is, accordingly, allowed and the order, dated 29.06.2024, passed by learned Additional District and Sessions Judge I -cum- Special Judge, SC/ST Act, Sheikhpura, in ABP No. 354 of 2024, is set aside.
8. Let the appellants, above named, in the event of their arrest or surrender before the Court below within four weeks, be released 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 learned Additional District and Sessions Judge I -cum- Special Judge, SC/ST Act, Sheikhpura, in connection with Ariyari Police Station Case No. 119 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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