

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3783 of 2023

Arising Out of PS. Case No.-393 Year-2022 Thana- GOH District- Aurangabad

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RAMASHANKAR DUWEDI @ RAMASHANKAR DWIVEDI S/O
BHARDWAJ DUWEDI R/O VILLAGE- GOH, GOLAPAR, PUNDAUL,
P.S- GOH, DISTT.- AURANGABAD.

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. SUNIL DATT PRASAD @ SUNIL PASWAN R/O VILLAGE AND P.O-
GOH, GOLA PAR, DISTT.- AURANGABAD -824101, MOB. NO.
7763954213.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Tej Narayan Singh, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. Public Prosecutor
		Mr. Jitendra Pd. Singh, Advocate
		Mr. Abhishek, Advocate
		Mr. Sripriya Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 04-07-2024 Heard learned counsel for the parties.

2. This criminal appeal has been filed against the order dated 03.07.2023 passed by learned Special Judge SC/ST-cum- 1st Additional District & Sessions Judge, Aurangabad in A.B.P. No. 1061 of 2023 arising out of Goh P. S. Case No. 393 of 2022, registered under Sections 3 (1)(L)(B) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellant has been rejected.

3. As per prosecution case, all the F.I.R. named



accused persons including this appellant deliberately prevented the informant from casting vote and also tried to delete his name from the voters' list and when the informant protested, all the accused persons abused him by his caste name.

4. Learned counsel for the appellant submits that he has falsely been implicated in this case. As a matter of fact, informant is a fraud and he used to reside in different places by taking possession of land or house and S.D.O., Daudnagar had issued a Letter dated 28.11.2017 for removal of encroachment made by the informant by the police force. It is further submitted that admittedly there is land dispute between the parties for which litigations are pending and in retaliation this false case has been lodged against the appellant.

5. However, learned counsel for the respondent No. 2 vehemently opposes the prayer for bail and submits that the appellant is named in the F.I.R. and there is specific allegation against him that he abused the informant by caste name and the appellant has got 7 criminal antecedents out of which some of them are of similar nature.

6. Considering the gravity of accusation and criminal antecedents, I do not find any ground to interfere with the order of the learned court below and as such, the appeal, which has



been filed for grant of anticipatory bail, is hereby rejected.

(Prabhat Kumar Singh, J)

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