

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3929 of 2023**

Arising Out of PS. Case No.-119 Year-2019 Thana- BUNIYAD GANJ District- Gaya

RANJEET KUMAR @ RANJEET YADAV S/O MITHLESH YADAV
VILLAGE- PANDA BIGHA, PS- BUNIYADGANJ, DIST- GAYA

... .. Appellant/s

Versus

1. The State of Bihar BIHAR
2. SIKANDRA KUMAR SON OF RANA PRATAP PASWAN R/O VILAGE-
PANDA BIGHA, PS- BUNIYADGANJ, DIST- GAYA

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sheikh Arkan Ahmad
For the Respondent/s : Mr. Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

5 29-03-2024 Heard learned counsel for the appellant and learned
Spl.P.P. for the State.

2. This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes against the refusal of prayer for anticipatory bail vide order dated 10.04.2023 passed by the learned Exclusive Special Judge, SC/ST, Gaya in connection with Buniyadganj P.S. Case No. 119 of 2019, registered for the alleged offences under Sections 341, 323, 504, 337/34 of the Indian Penal Code and Section 3(i)(r)(s) of the S.C./S.T.

3. As per the prosecution case, the appellant and other co-accused persons are alleged to have abused the informant's cousin brother by calling his caste name and also assaulted with lathi, danda and stone and when the informant came to save him then co-accused



Dhirendra assaulted the informant also.

4. Learned counsel for the appellant submitted that the appellant is innocent and have been falsely implicated in this case. The allegation of abusing against the appellant is general and omnibus and no member of public was present at the relevant point of time of the incident and hence, no offence under the provisions of SC/ST Act is made out against the appellant. Learned counsel further submitted that a Joint Compromise Petition has been filed by the appellant annexed as Annexure 2 to this appeal. The appellant has no criminal antecedent as stated in para 3 of the appeal.

5. Learned Spl. P.P. for the State as well as learned counsel for the respondent no. 2 have opposed the prayer for anticipatory bail of the appellant.

6. In view of the aforesaid facts and circumstances of the case as well as finding substance in the contention of learned counsel for the appellant, the impugned order dated 10.04.2023 passed by the learned Exclusive Special Judge, SC/ST, Gaya in connection with Buniyadganj P.S. Case No. 119 of 2019 is set aside against the appellant. The criminal appeal is allowed.

7. Accordingly, the above named appellant, in the event of his arrest/ surrender before the learned court below within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of



learned Exclusive Special Judge, SC/ST, Gaya in connection
Buniyadganj P.S. Case No. 119 of 2019, subject to the conditions
mentioned in Section 438(2) of the Code of Criminal Procedure.

(Chandra Prakash Singh, J)

Ranjeet/-

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