

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3894 of 2024**

Arising Out of PS. Case No.-23 Year-2024 Thana- SC/ST District- Begusarai

Chandan Yadav @ Ambuj Kumar S/O Jagdish Yadav @ Jagdish Prasad Yadav
R/O Vill- Bajitpur Tola, Baturaha, P.S- Chhourahi, Distt.- Begusarai.

... .. Appellant/s

Versus

1. The State of Bihar
2. Lakho Devi W/O Ram Bahadur Paswan R/O Village- Bajitpur Tola,
Baturaha, P.S- Chhourahi, Dist.- Begusarai.

... .. Respondent/s

Appearance :

For the Appellant	:	Mr. Shubhesh Pandey, Advocate
For the State	:	Mr. Binay Krishna, Spl.PP
For Respondent No. 2	:	Mr. Randhir Kumar No. 1, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-09-2024 Heard learned counsels for the parties.

2. This appeal has been filed for setting aside order dated 06.07.2024, passed in a case registered for the offence punishable under Sections 341, 323, 307, 325, 379, 504, 506, 354B and 34 of the Indian Penal Code and Sections 3(i)(r)(s) (w) and 3(2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of the appellant has been rejected.

3. As per the prosecution case, on 20.05.2024 at about 7 o'clock in the evening, while the informant was sitting at her house, in the meantime, all the F.I.R. named accused persons, including this appellant and some unknown persons,



came there and asked the informant to withdraw the earlier complaint case filed by her otherwise she would be killed. It is further alleged that on refusal, all the accused persons abused by caste name and also assaulted informant and others.

4. It is submitted by learned counsel appearing on behalf of the appellant that appellant is innocent and has falsely been implicated in this case. As a matter of fact, there is political enmity between the families of the parties. When wife of son of informant, namely Priti Kumari, had contested elections for the post of Ward Member against mother of this appellant, namely Manju Devi, she lost the elections and in retaliation, these false and concocted cases have been lodged against this appellant. Moreover, it is not the case of the prosecution that any member of public was present at the time of incidence and as such, no case under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is made out.

5. On the other hand, learned S.P.P. appearing on behalf of the State and learned counsel appearing on behalf of the informant/Respondent No. 2 have vehemently opposed the prayer for grant of bail to this appellant and submitted that appellant is named in the F.I.R. with specific accusation that he, along with other accused persons, entered into house of



informant and pressurized her to withdraw the earlier case and on refusal, all of them abused by caste name and assaulted informant and others, as a result of which informant and others sustained injuries. It is further submitted that appellant has got six criminal antecedents, some of which are of similar nature.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and criminal antecedents of appellant, this appeal is dismissed.

(Prabhat Kumar Singh, J)

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