

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4026 of 2023

Arising Out of PS. Case No.-235 Year-2023 Thana- GAYA MUFASIL District- Gaya

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LALINDER KUMAR @ RAVINDRA KUMAR S/O HARIBANSH YADAV
@ UMESH YADAV R/O VILLAGE- KAIYA, P.S- MUFFASIL, DISTT.-
GAYA.

... .. Appellant/s

Versus

1. The State of Bihar BIHAR
2. RAJESHWAR DAS S/O PRABHU DAS R/O VILLAGE- KAIYA, P.S-
MUFFASIL, DISTT.- GAYA.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Anil Kumar Saxena
For the Respondent/s : Mr.Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 26-07-2024 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. Though Vakalatnama has been filed on behalf of
respondent no.2 but when the case is called out nobody appears
on his behalf.

3. This is an appeal under Section 14(A)(2) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act,
1989 (hereinafter in short referred to as the 'SC/ST Act') against
the refusal of prayer for bail vide order dated 01.08.2023 passed
by learned Exclusive Special Judge (SC/ST Spl.), Gaya in
connection with Muffasil P.S. Case No.235 of 2023, registered
under Sections 341, 323, 307, 354, 504, 34 of the Indian Penal



Code and Section 3(1) (r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

4. The allegation against the appellant is that he and other co-accused persons abused and assaulted the informant's side.

5. It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case. There is no specific overt act against the appellant. He submits that though there is specific allegation against the appellant to assault the father of the informant in FIR but the injury report has not supported the prosecution case. Appellant has no criminal antecedent.

6. Learned Spl. PP for the State opposed the prayer for bail.

7. In the facts and circumstances of the case as the injury no.1, 2 and 3 of the injured is of grievous nature, I am not inclined to enlarge the appellant on bail. The prayer for bail is hereby rejected.

8. Accordingly, this appeal is dismissed.

(Anjani Kumar Sharan, J)

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