

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4049 of 2023

Arising Out of PS. Case No.-189 Year-2023 Thana- KHUSRUPUR District- Patna

1. RAVI RANJAN KUMAR S/O PRABHAT SINGH @ PRABHAT KUMAR
R/O VILLAGE- NURUDDINPUR, P.S- KHUSHRUPUR, DISTT.- PATNA.
2. RAHUL KUMAR @ RAHUL SINGH S/O LATE RAGHUNANDAN
SINGH R/O VILLAGE- NURUDDINPUR, P.S- KHUSHRUPUR, DISTT.-
PATNA.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Surendra Kumar Singh, Sr. Adv. Mr.Praveen Prakash, Adv. Mr.Rana Baljit Singh, Adv.
For the Respondent/s	:	Mrs.Usha Kumari 1, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 31-01-2024 Heard learned Senior counsel for the appellants assisted
by learned counsels and learned Spl.P.P. for the State.

2. In compliance of the order of this Court, learned Spl.P.P.
for the State informed the respondent no.2 about his appearance
in the appeal but nobody appears on his behalf.

3. This is an appeal under section 14 A (2) of the SC/ST Act
against the refusal of prayer for anticipatory bail vide order
dated 07.08.2023, passed by learned Exclusive Special Court,
SC/ST Act, Patna, in connection with Khusrupur P.S. Case
No.189 of 2023, registered u/s 341, 323, 307, 504, 506/34 of the
IPC, section 27 of the Arms Act and sections 3(1)(r)(s) of the



SC/ST Act.

4. As per F.I.R., the appellants and other co-accused came to the informant and threatened to kill the informant and set Mushari Tola at fire. Thereafter, some accused came at the informant's house with deadly weapons in their hand, appellant no.2 fired from his pistol and misbehaved with family members of the informant and the accused assaulted the informant.

5. It is submitted by learned Senior Counsel for the appellants that the appellants are innocent and have not committed any offence. No such occurrence, in the manner as alleged has ever taken place. Appellants have been falsely implicated in the case with frivolous allegation. It is submitted that no offence under the SC/ST Act is made out against the appellants as there is no specific allegation against the appellants to abuse the informant by taking caste name. No person has sustained any injury in the alleged occurrence. Appellant no.1 has no criminal antecedent and appellant no.2 has one criminal antecedent.

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

7. Considering the facts and circumstances of the case, since there is no specific allegation against the appellants to abuse the informant by taking caste name and no person sustained injury,



let the appellants named above, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs.25,000/- (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Court, SC/ST Act, Patna, in connection with Khusrupur P.S. Case No.189 of 2023, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

8. Accordingly, the impugned order is set aside and this appeal is allowed.

(Anjani Kumar Sharan, J)

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