

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4310 of 2023

Arising Out of PS. Case No.-382 Year-2021 Thana- WAJIRGANJ District- Gaya

SANJIT YADAV @ GORE YADAV @ SUMAN RAJ S/O ASHOK YADAV
@ PUNA YADAV @ RAM PRASAD YADAV R/O VILLAGE-
MANGRAWAN, P.S- WAZIRGANJ, DISTT.- GAYA.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ajay Kumar Sinha, Advocate
For the Respondent/s : Mr. Binay Krishna, sPl. PP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 02-05-2024 Despite valid service of notice , nobody appears on
behalf of the respondent No. 2.

2. Heard learned counsel for the parties.

3 . This appeal has been filed for setting aside order
dated 21.07.2023 , passed in a case registered for the offence
punishable under sections 341 , 323 , 504 and 34 and other
allied sections of the Indian Penal Code and sections 3(i)(r)
(s)//3(2)(va) of the Scheduled Castes and Scheduled Tribes
(POA) Act, whereby the prayer for anticipatory bail of the
appellant has been rejected.

4. As per the prosecution case , on the alleged date
and time of occurrence , when the informant was returning after
ploughing the field, in the meantime , all the accused persons



including this petitioner armed with weapons abused the informant by his caste name and assaulted him due to which he sustained injury . It is further alleged that co-accused person also snatched Rs. 5000/- from his pocket.

5 . It is submitted that on behalf of the appellant that he has falsely been implicated in this case on account of personal grudge . Allegation against this appellant is general and omnibus. No Specific allegation is alleged against him. Though there is allegation of causing hurt but there is no injury report on the record. It is not the case of the prosecution that he alleged incident took place within the public view, as such, no case under SC/ST Act is made out. Rest of the allegations are ornamental in nature . Appellant claims clean antecedent.

6. Counsel for the Spl. PP for the State oppose the prayer for bail.

7. Considering the aforesaid facts, this appeal is allowed and the impugned order is set aside. Let the appellant, named above, in the event of arrest/surrender within a period of eight weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge ,



SC/St , Gaya , in connection with Wazirganj Police Station Case
No. 382 of 2021 .

(Prabhat Kumar Singh, J)

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