

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4476 of 2023

Arising Out of PS. Case No.-148 Year-2023 Thana- JALALPUR District- Saran

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1. Ranjan Kumar Yadav Son Of Umesh Ray Resident Of Village Kariyahi, Police Station Jalalpur, District Saran
 2. Mukesh Ray Son Of Mukhdeo Ray Resident Of Village Kariyahi, Police Station Jalalpur, District Saran
 3. Awadhesh Ray Son Of Late Chandradeo Ray Resident Of Village Kariyahi, Police Station Jalalpur, District Saran
 4. Ashok Ray Son Of Late Chandradeo Ray Resident Of Village Kariyahi, Police Station Jalalpur, District Saran
 5. Manoj Ray Son Of Late Kapil Ray Resident Of Village Kariyahi, Police Station Jalalpur, District Saran
 6. Umesh Ray Son Of Late Indradeo Ray Resident Of Village Kariyahi, Police Station Jalalpur, District Saran
 7. Sanjay Ray Son Of Late Shree Ray Resident Of Village Kariyahi, Police Station Jalalpur, District Saran

... .. Appellant/s

Versus

1. The State of Bihar
2. Manjay Kumar Ram Son Of Late Sadhu Lal Ram Resident Of Village- Kariyahi, Post Office- Russi, Police Station- Jalalpur, District- Saran

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ankur Prakash Sinha, Adv.
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. P.P.
		Mr. Anant Kumar Bhaskar, Adv.
		Mr. Sanjay Kumar Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 09-05-2024 Heard the parties.

2. This appeal has been filed against the order dated 23.08.2023 passed by Exclusive Special Judge (SC/ST), Chapra, Saran in connection with A.B.P. No. 2370 of 2023 arising out of Jalalpur P.S. Case No. 148 of 2023, registered under Sections



147, 148, 149, 341, 323, 324, 307, 354B, 429, 504, 506 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(i)(r)(s)(w) and 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellants has been rejected.

3. The prosecution story, in brief, is that appellants along with other accused persons abused the informant by his caste name. It is further alleged that appellant no. 3 assaulted on the head of the informant by *Farsa*. Appellant no. 4 and one Ganesh Ray fired in air by country-made pistol.

4. Learned counsel for the appellants submits that appellants are innocent and have falsely been implicated in the present case. There is general and omnibus allegation against the appellants. No specific over act is alleged against the appellants. It is further submitted that the present case is counter blast of Jalalpur P.S. Case No. 149 of 2023 which was filed by appellant no. 3 against the informant and others. Similarly situated co-convict Ganesh Ray has already been granted bail by a co-ordinate Bench of this Court *vide* order dated 07.02.2024 passed in Cr. Appeal (SJ) No. 4348 of 2023. Appellants claim clean antecedent.

5. Learned Spl. Public Prosecutor for State and learned



counsel for the respondent no. 2 oppose the bail application.

6. Considering the submissions made above, let the appellants, as named above, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Exclusive Special Judge (SC/ST), Chapra, Saran in connection with A.B.P. No. 2370 of 2023 arising out of Jalalpur P.S. Case No. 148 of 2023.

7. Accordingly, the impugned order dated 23.08.2023 is set aside and this criminal appeal is allowed.

(Prabhat Kumar Singh, J)

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