

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5473 of 2023

Arising Out of PS. Case No.-792 Year-2023 Thana- BARACHATTI District- Gaya

-
-
1. Udesb Kumar Yadav @ Udesb Yadav Son Of Ganesh Yadav Resident Of Village- Bardag Tola Chatarpur, P.S.- Mohanpur, District-Gaya
 2. Renu Kumari Wife Of Udesb Kumar Yadav Resident Of Village- Bardag Tola Chatarpur, P.S.- Mohanpur, District-Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Nilmati Devi Wife Of Vijay Chaudhary Resident Of Village- Bardag, P.S.- Mohanpur, District-Gaya

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Shivendra Prasad, Adv.
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. P.P. Mr. Vishwa Ranjan Choudhary, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 02-05-2024

Heard the parties.

2. This appeal has been filed against the order dated 17.10.2023 passed by Exclusive Special Judge SC/ST Special Court, Gaya in connection with A.B.P. No. 357 of 2023 arising out of Barachatty (Mohanpur) P.S. Case No. 792 of 2023, registered under Sections 341, 323, 504, 506, 308, 34 of the Indian Penal Code and Sections 3(i)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellants have been rejected.

3. It is alleged that appellants abused the informant by her caste name and appellant no. 1 also assaulted the informant on her leg.

4. Learned counsel for the appellants submitted that appellants are innocent and have falsely been implicated in the



present case. There is general and omnibus allegation against the appellants. It is further submitted that the present case has been lodged for a petty dispute. Though there is allegation of assault against the appellant no. 1 on the leg of the informant but there is no injury report to support the allegation. The First Information Report has been lodged after a delay of 15 days of the alleged occurrence.

5. Learned Spl. Public Prosecutor for the State as well the counsel for the respondent no. 2 oppose the bail application by contending that there is direct allegation of abusing the informant by her caste name against the appellants. It is further contended that appellant no. 1 has three criminal antecedents of similar nature. Hence, appellants do not deserve to be enlarged on bail.

6. Considering the aforesaid facts and circumstances, I do not find any reason to interfere with the impugned order. Accordingly, this appeal is dismissed.

(Prabhat Kumar Singh, J)

utkarsh/-

U		T	
---	--	---	--

