

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.53 of 2024**

Arising Out of PS. Case No.-1375 Year-2023 Thana- DANAPUR District- Patna

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1. Chintu Kumar son of Naval Lal Sharma @ Naval Sharma Village- Gabhtal New Vishwakarma Mandir Ps- Danapur Dist- Patna
  2. Rajnish Kumar Sharma @ Rajnish son of Om Prakash @ Om Prakash Sharma Village- Gabhtal New Vishwakarma Mandir Ps- Danapur Dist- Patna
  3. Rohit Kumar son of Vinod Sharma Village- Gabhtal New Vishwakarma Mandir Ps- Danapur Dist- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Surendra Chaudhary son of Lachchhu Chaudhary Village- Gabhtal New Vishwakarma Mandir Ps- Danapur Dist- Patna

... .. Respondent/s

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**Appearance :**

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| For the Appellant/s  | : | Mr. Ghanshyam Tiwary, Advocate            |
| For the Respondent/s | : | Ms. Usha Kumari 1, Spl. Public Prosecutor |

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      05-09-2024                      Despite valid service of notice, none appears on behalf of the respondent No. 2.

2. Heard learned counsel for the appellants and State.

3. This appeal has been filed against the order dated 16.12.2023 passed by learned Exclusive Special Court, SC/ST Act, Patna in connection with A.B.P. No. 10812 of 2023 arising out of Danapur P.S. Case No. 1375 of 2023, registered under Sections 341, 323, 379, 354, 504, 506/34 of the Indian Penal Code and Section 3(i)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for



anticipatory bail of appellants has been rejected.

4. Allegation against these appellants is that they entered in the house of informant and assaulted him and his family members and also abused them by caste name.

5. Learned counsel for the appellants submits that appellants are innocent and have committed no such offence as alleged. Appellants have falsely been implicated in this case due to village politics. Family members of informant are habitual in lodging false and concocted cases and earlier also they have lodged three cases against other persons. F.I.R. does not reveal presence of any member of public when the alleged incident occurred, as such, no offence under SC/ST Act is made out. Appellants claim clean antecedent.

6. Learned Spl. Public Prosecutor for the State vehemently opposed the bail application.

7. Considering the aforesaid facts, let the appellants, as named above, in the event of their arrest/surrender within a period of eight 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 Court, SC/ST Act, Patna in connection with Serial No. 395 of 2023 arising out of Danapur P.S. Case No.



1375 of 2023.

8. Accordingly, the impugned order dated 16.12.2023  
is set aside and this criminal appeal is allowed.

**(Prabhat Kumar Singh, J)**

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