

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.372 of 2025

Arising Out of PS. Case No.-105 Year-2024 Thana- IMAMGANJ District- Gaya

1.

Bakil Singh Son of Akshabar Singh Resident of Village- Salwar Raniganj, and Village- Pathra (Both), P.S.- Imamganj, Gaya
2.

Ranjay Singh Son of Akshabar Singh Resident of Village- Pathra, P.S.- Imamganj, Gaya

... .. Appellant/s

Versus

1.

The State of Bihar
2.

Savita Devi Wife of Sita Ram Das Resident of Village- Kesandha, P.S.- Imamganj, Distt.- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s

:

Mr. Arvind Kumar Singh, Advocate

For the Respondent/s

:

Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4

01-05-2025

Heard learned counsel for the appellants, learned counsel for the respondent no. 2 and learned Special Public Prosecutor for the State.

2. This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, (hereinafter in short referred to as the SC/ST Act) against the refusal of prayer of bail vide order dated 23.12.2024 passed by the learned Exclusive Special Judge, SC/ST (PoA) Act, Gaya in connection with Imamganj P.S. Case No. 105 of 2024 dated 18.04.2024 registered for the offence/s punishable u/ss 341, 323, 504, 506, 379, 452, 354 read with 34 of the I.P.C. and



Sections 3(1)(r)(s)/3(1) (w)(i) of the SC/ST (PoA) Act.

3. As per the prosecution case, on 17.04.2024, all the accused persons namely Wakil Singh, Ranjay Singh armed with pistol committed loot of Rs. 40,000/- and all household articles containing the ornaments and apparels which were purchased for the marriage of the daughter of the informant. They also abused and threaten for dire consequences. Accused Dhananjay Singh was also there.

4. Learned counsel for the appellants has submitted that the appellants have falsely been implicated in this case due to dirty village politics. It is further submitted that no particular caste name has been called by the appellants hence, no offence under the provision of SC/ST Act is made out against him. There was only simple altercation took place between the brothers and the informant due to grazing the cattle in the field. No injury has been received by the informant and her family members. There is general and omnibus allegation against the appellants. The appellant no. 1 has four criminal antecedents and appellant no. 2 has three criminal antecedents as stated at para 3 of the bail petition. The appellants are in custody since 17.11.2024.

5. Learned Spl. P.P. for the State and learned counsel for the respondent no. 2 have vehemently opposed the prayer of bail of the appellants.



6. In view of the aforesaid facts and circumstances of the case as well as finding substance in the contention of the learned counsel for the appellant, the impugned order dated 23.12.2024 passed by the learned Exclusive Special Judge, SC/ST (PoA) Act, Gaya in connection with Imamganj P.S. Case No. 105 of 2024 is set aside against the appellants. The criminal appeal is allowed.

7. Accordingly, the above named appellant, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court of learned Exclusive Special Judge, SC/ST (PoA) Act, Gaya in connection with Imamganj P.S. Case No.105 of 2024.

(Chandra Prakash Singh, J)

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