

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.463 of 2025

Arising Out of PS. Case No.-424 Year-2023 Thana- BODHGAYA District- Gaya

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- 1 . Satish Kumar S/o Kapil Yadav R/o vill - Mora Tal, P.S. - Bodh Gaya, Distt.- Gaya
 2. Brahmadeo Yadav S/o Late Dahu Yadav R/o vill - Mora Tal, P.S. - Bodh Gaya, Distt.- Gaya

... .. Appellant/s

Versus

- 1 . The State of Bihar
2. Masicharan Soren S/o Not Known Presently Posted as Sub-Inspector at Bodhgaya Police Station, Distt.- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Pramod Kumar , Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl. PP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-04-2025 Heard learned counsel for the appellants, learned

Spl. Public Prosecutor appearing on behalf of the State . Despite
filing vakalatnama , nobody appears on behalf of respondent
No.2.

2. This appeal has been preferred on behalf of the
appellants, under Section 14-A(2) of the Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act for setting aside
the order dated 23.12.2024 , passed by the learned Exclusive
special Judge sC / st Act Gaya in bodhgaya P.S. Case No. 424
of 2024 , registered for the offences punishable under Sections
147, 149, 341, 323, 353 , 216 504 and 506 and other allied



sections of the Indian Penal Code and sections 3(i)(r)(s)/3(2)(v) (a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act whereby the prayer for bail of the appellant has been rejected.

3 . As per the prosecution case , on 18.05.2023 , informant along with other police officials, conducted a raid at the house of Ranjeet Yadav , in the meantime , all the F.I.R named accused including these appellants abused the informant by caste name . It is further alleged that they also obstructed the police officials from discharging their duties.

4. Learned counsel for the appellant submits that Learned counsel for the appellant submits that appellant is quite innocent and has committed no offence as alleged. Allegation of abuse by caste name is general and omnibus. No specific overt act is alleged against this appellant. He further submits that only on the basis of suspicion and criminal antecedent this appellant has been made accused in this case . Chargesheet has already been submitted. Appellant is in custody since 10.12.2024 .

5 . Learned Spl. Public Prosecutor for the State opposed the bail appeal.

6. Considering the aforesaid facts and other circumstances of the case , let the appellants, as named above be released 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 learned Exclusive special Judge sc/st Act Gaya in bodhgaya P.S. Case No. 424 of 2023 .

7. Accordingly, the impugned order dated 23.12.2024 is set aside and this criminal appeal is allowed.

(Prabhat Kumar Singh, J)

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