

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1023 of 2024**

Arising Out of PS. Case No.-29 Year-2022 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Ranjan Kumar @ Ranjan Choudhary S/O Late Ram Chandra Choudhary R/O
Village- Rashidpur, (Rasidpur), P.S- Bachwara, Distt.- Begusarai.

... .. Appellant/s

Versus

1. The State of Bihar
2. Ramu Choudhary S/O Late Bishundev Choudhary R/O Village- Chakdilar,
Rashidpur (Rasidpur, Ward No.-04, P.S- Bachwara, Distt.- Begusarai.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Sandip Kumar Gautam, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. PP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 07-11-2025 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. Despite the notice having been validly served, no
one appears on behalf of the Respondent No. 2.

3. This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 against the rejection of prayer for
anticipatory bail vide order dated 06.01.2024 passed by the
learned Special Judge, SC/ST (POA) Act, Begusarai in A.B.A.
No. 2715 of 2023 in connection with Complaint Case No. 29 of
2022 registered for the offence/s punishable under Sections 341,
323, 504, 379, 380 and 411 of the I.P.C and under Section 3(x) of



the SC/ST (POA) Act.

4. As per the prosecution case, the complainant has alleged that a certain piece of land was purchased from the forefathers of the appellant regarding which the appellant has been creating disturbance. It is further alleged that on the fateful day on 13.03.2022 the appellant and others approached the house of the complainant, abused him by taking his caste name and threatened him to vacate the land. It has further been alleged that accused Manoj Prasad fired a shot from his pistol in the air and thereafter they fled away after snatching the gold ornaments from the wife of the complainant.

5. Learned counsel for the appellant submits that the present complaint has been lodged after a delay of 24 days. It has been submitted that the present case is out and out a civil dispute which has been given a criminal colour and no such incident as alleged has taken place. It has further been submitted that no case under Section 3(1)(r)(s) of the SC/ST(POA) Act is made out, however, it has been informed that the cognizance has already been taken in the aforesaid case. It has lastly been submitted that the appellant has no criminal antecedent.

6. Learned Spl. P.P. for the State has vehemently opposed the bail petition of the appellant.



7. 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 06.01.2024 passed by the learned Special Judge, SC/ST (POA) Act, Begusarai in A.B.A. No. 2715 of 2023 in connection with Complaint Case No. 29 of 2022, is set aside against the appellant. The criminal appeal is allowed.

8. Considering the aforesaid submission, facts and circumstances of the case, let the appellant above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Complaint Case No. 29 of 2022 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) The appellant is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates



without reasonable cause, the bail bonds of the appellants are liable to be cancelled.

(ii) The appellant shall not, in any manner, threaten, contact, or attempt to influence the informant or any witness connected with the case.

9. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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