

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1161 of 2024

Arising Out of PS. Case No.-33 Year-2019 Thana- SC/ST District- Saran

Om Prakash Singh Son of late Madan Singh Resident of vill. at Saranath Chouk, P.S.-Dariyapur in the Distt. of Saran at Chapra

... .. Appellant/s

Versus

- 1 . The State of Bihar
2. Ajad Manjhi Son of Nand Kishore Manjhi Resident of vill. at Saranath Chouk, P.S.-Dariyapur in the Distt. of Saran at Chapra

... .. Respondent/s

Appearance :

For the Appellant/s : Ms. Swati Parmar , Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl. PP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 13-02-2025 Heard learned counsel for the parties. Despite valid service of notice , nobody appears on behalf of respondent No. 2.

2. This appeal has been filed for setting aside order dated 22.01.2024 passed in a case registered for the offence punishable under sections 392 of the Indian Penal Code and sections 3(i) (X) of the Scheduled Castes and Scheduled Tribes Act, whereby the prayer for anticipatory bail of the appellant has been rejected.

3 . As per the prosecution case , appellant who is co-villager of informant demanded ransom from the complainant and on refusal this petitioner abused him and assaulted by



means of knife and took out Rs. 50,000/- from dicky of the tempo . It is further alleged that appellant also threatened complainant with dire consequences.

4. It is submitted that appellant is innocent and has committed no offence . Both parties are co-villagers and due to petty dispute , this false and concocted case has been lodged against appellant. There is no injury report on record to substantiate the allegation made in the complaint petition . It is not the case of the informant that any member of public was present at the time of incident, as such, no case under SC/ST Act is made out. Allegation of demanding rangadari is super addition to make the case grave . Appellant claims clean antecedent.

5 . Learned Special Public Prosecutor for the State opposed the prayer for bail.

6. Considering the aforesaid facts, appeal is allowed and the impugned order is set aside. Let the appellant, named above, in the event of arrest/surrender within a period of eight weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST Court



Saran at Chpara Gaya, in connection with Saran SC /St Police
Station Case No. 33 of 2019.

(Prabhat Kumar Singh, J)

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