

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1105 of 2024

Arising Out of PS. Case No.-24 Year-2023 Thana- SC/ST District- Rohtas

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1. Banesh Narayan Singh @ Bansh Narayan Singh @ Bansh Narayan Chaudhary Ram Prasad Chaudhary Resident of Village- Lakhanpura , PS- Kargahar , Dist.- Rohtas
 2. Girish Narayan Singh @ Girish Narayan Chaudhary Son of Ram Prasad Chaudhary Resident of Village- Lakhanpura , PS- Kargahar , Dist.- Rohtas
 3. Ravindra Singh @ Ravindra Kumar Chaudhary Son of Indradeo Singh Resident of Village- Lakhanpura , PS- Kargahar , Dist.- Rohtas
 4. Naga Singh @ Deepak Kumar Son of Girish Narayan Singh @ Girish Narayan Chaudhary Resident of Village- Lakhanpura , PS- Kargahar , Dist.- Rohtas
 5. Anil Singh @ Anil Chaudhary Son of Bansh Narayan Singh @ Banesh Narayan Singh @ Bansh Narayan Chaudhary Resident of Village- Lakhanpura , PS- Kargahar , Dist.- Rohtas

... .. Appellant/s

Versus

1. The State of Bihar
2. Sanoj Kumar Son of Gharbharan Ram Resident of Village- Chaurasiya, P.S.- Mohania, Distt.-Kaimur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Rajani Kant Singh, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 10-04-2025 Despite valid service of notice, none appears on behalf of the respondent No. 2.

2. Heard learned counsel for the appellants and the State.

3. This appeal has been filed against the order dated 08.01.2024 passed by learned Additional District Judge-XVII cum Exclusive Special Judge SC/ST, Rohtas at Sasaram in



connection with SC/ST P.S. Case No. 24 of 2023, registered under Sections 341, 323, 379, 504, 506/34 of the Indian Penal Code and Section 3(i)(r)(s)/3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellants has been rejected.

4. As per prosecution case, on 30.04.2023 at about 5 PM, appellant No. 1 came at the land of informant and demanded payment of consideration money of the land which was purchased by the informant from appellants. When informant refused and told that he has already given the consideration amount, appellant No. 1 abused him by caste name and threatened him. It is further submitted that at about 7 PM, all the accused persons and five unknown persons came at the house of informant and abused him by caste name and assaulted him.

5. Learned counsel for the appellants submits that appellants are innocent and have committed no offence. As a matter of fact, informant and other staff members of the Punjab National Bank, Kargahar have committed fraud with the father of appellant Nos. 1 & 2 and Complaint Case No. 265 of 2022 has also been filed to this effect on 26.03.2022 against the informant, Bank Manager and Cashier of the aforesaid bank in



order to save their skin from the said case, this false and concocted case has been lodged against the appellants. Allegation of assault is general and omnibus. Moreover, it is not the case of informant that alleged incident occurred within the public view, as such, no offence under SC/ST Act is made out against the appellants. Appellants claim clean antecedent.

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

7. Considering the nature of accusation and clean antecedent, 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 Additional District Judge-XVII cum Exclusive Special Judge SC/ST, Rohtas at Sasaram in connection with SC/ST P.S. Case No. 24 of 2023.

8. Accordingly, this criminal appeal is allowed and impugned order dated 08.01.2024 is set aside with respect to these appellants only.

(Prabhat Kumar Singh, J)

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