

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1442 of 2024

Arising Out of PS. Case No.-314 Year-2023 Thana- PATEPUR District- Vaishali

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1. Abhay Kumar Singh @ Rana Abhay Singh Son of Ram Naresh Singh Resident of Village- Maudah Dih, Police Station- Patepur (Harlochanpur) in the District of Vaishali
 2. Sahdeo Singh @ Sahdeo Prasad Singh Son of Jeewan Singh Resident of Village- Maudah Dih, Police Station- Patepur (Harlochanpur) in the District of Vaishali
 3. Naresh Singh @ Ram Naresh Singh Son of Late Jamun Singh Resident of Village- Maudah Dih, Police Station- Patepur (Harlochanpur) in the District of Vaishali

... .. Appellant/s

Versus

1. The State of Bihar
2. Ranjeet Paswan Son of Bishuni Paswan Resident of Village- Maudag Buzurg, Police Station - Patepur (Harlochanpur) in the District of Vaishali

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ranjeet Kumar, Advocate
For the Respondent/s	:	Mrs. Usha Kumari 1, Spl. Public Prosecutor
For the Res No. 2	:	Mr. Navin Sharma, Mr. Aditya Kr. Pandey, Adv

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-08-2025 Heard learned counsel for the parties.

2. This appeal has been filed against the order dated 24.02.2024 passed by learned Exclusive Special Court (SC/ST Act)-cum-Additional Sessions Judge, Vaishali at Hajipur in ABP No. 171 of 2024 in connection with Patepur (Harlochanpur) P.S. Case No. 314 of 2023, registered under Sections 341, 323, 325, 379, 504, 506/34 of the Indian Penal Code and Section 3(i)(r), 3(i)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of



appellants has been rejected.

3. As per F.I.R., when informant, who is tractor driver of Mukesh Singh, went to the the field of Mukesh Singh to plough the same, all the F.I.R. named accused persons including these appellants abused him by caste name and assaulted him. It is further alleged that when brother of Mukesh Singh tried to save the informant, he was also assaulted by the accused persons and they took Rs. 2,000/- from the pocket of informant.

4. Learned counsel for the appellants submits that appellants are innocent and have committed no offence. As a matter of fact, informant is driver of Mukesh Singh who is *gotiya* of these appellants and due to land dispute between them this false and concocted case has been lodged against appellant, at the instance of Mukesh Singh. Allegation of assault is general and omnibus. Rest of the allegations are ornamental only to make the case grave. Moreover, it is not the case of informant that alleged incident occurred within public view, as such, no offence under SC/ST Act is made out against appellants. Appellants claim clean antecedent.

5. Learned Spl. Public Prosecutor for the State as well as learned counsel for the informant vehemently opposed the bail application.



6. Considering the aforesaid facts and circumstances of the case, 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 Exclusive Special Court (SC/ST Act)-cum-Additional Sessions Judge, Vaishali at Hajipur in ABP No. 171 of 2024 in connection with Patepur (Harlochanpur) P.S. Case No. 314 of 2023.

7. Accordingly, this criminal appeal is allowed and impugned order dated 24.02.2024 is set aside with respect to these appellants only.

(Prabhat Kumar Singh, J)

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