

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1463 of 2024

Arising Out of PS. Case No.-672 Year-2023 Thana- DAUDNAGAR District- Aurangabad

1. Bishram Singh @ Vishram Yadav son of Late Biphan Singh Resident of Village- Lala Amaua, P.S.- Daudnagar, District- Aurangabad
2. Golden Yadav Son of Krishna Kumar Resident of Village- Lala Amaua, P.S.- Daudnagar, District- Aurangabad
3. Ravindra Kumar @ Ravindra Yadav Son of SitaRam Singh Resident of Village- Lala Amaua, P.S.- Daudnagar, District- Aurangabad
4. Gopal Yadav @ Gopal Singh Son of Ramshlok Singh Resident of Village- Lala Amaua, P.S.- Daudnagar, District- Aurangabad

... .. Appellant/s

Versus

1. The State of Bihar
2. Rajesh Ram @ Rajeshwar Ram Son of Late Ramashraya Ram Resident of Village- Lala Amauna, P.S.- Daudnagar, Dist.-Aurangabad

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Sunil Kumar Dubey, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 11-09-2025 Despite filing *Vakalatnama*, none appears on behalf of the respondent no. 2.

2. Heard learned counsel for the appellants and learned Spl. Public Prosecutor for the State.

3. This appeal has been filed against the order dated 20.01.2024 passed by learned Special Judge, SC/ST-cum-Additional District and Sessions Judge 1st, Aurangabad in ABP No. 83 of 2024 arising out of Daudnagar P.S. Case No. 672 of 2023, registered under Sections 341, 323, 308, 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 F.I.R., while informant was constructing boundary wall, all the 14 named accused persons assaulted informant by means of *lathi* and *danda*. It is further alleged that the accused persons threatened informant because he belongs to SC/ST caste.

5. Learned counsel for the appellants submits that appellants are innocent and have committed no offence. He next submits that appellant nos. 3 & 4 are not named in the F.I.R. Allegations of assault is general and omnibus. There is no allegation that these appellants abused informant by caste name rather allegation against appellants is of threatening the informant because he belongs to SC/ST community as such, no offence under SC/ST Act is made out against appellants. Present case is counter blast of Daudnagar P. S. Case No. 671 of 2023 which was lodged by one of the co-accused against informant and his family members. Appellants claim clean antecedent.

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



7. Considering the nature of accusation, case and counter case 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 Special Judge, SC/ST-cum-Additional District and Sessions Judge 1st, Aurangabad in ABP No. 83 of 2024 arising out of Daudnagar P.S. Case No. 672 of 2023.

8. Accordingly, this criminal appeal is allowed and impugned order dated 20.01.2024 is set aside with respect to these appellants only.

(Prabhat Kumar Singh, J)

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