

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1474 of 2024

Arising Out of PS. Case No.-114 Year-2023 Thana- DANDARI District- Begusarai

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1. Vikash Yadav Son Of Chandradeep Yadav Resident Of Village - Mehan, P.S. - Dandari, District - Begusarai
 2. Raja Kumar @ Raja Yadav Son Of Kapildev Yadav Resident Of Village - Mehan, P.S. - Dandari, District - Begusarai
 3. Ajay Kumar @ Ajay Yadav Son Of Pradeep Yadav Resident Of Village - Mehan, P.S. - Dandari, District - Begusarai
 4. Kapildev Yadav Son Of Late Garbhu Yadav Resident Of Village - Mehan, P.S. - Dandari, District - Begusarai
 5. Pardeep Yadav @ Pradeep Yadav Son Of Late Garbhu Yadav Resident Of Village - Mehan, P.S. - Dandari, District - Begusarai

... .. Appellant/s

Versus

1. The State of Bihar
2. Ramashish Paswan Son Of Late Acchhe Lal Paswan Resident Of Village - Mehan, P.S. - Dandari, District - Begusarai

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Arun Kumar, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl. Public Prosecutor
For the Res No. 2	:	Mr. Pritish Kumar Lal, Advocate

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 28.02.2024 passed by learned Special Judge, SC/ST (POA) Act, Begusarai in ABA No. 361 of 2024 in connection with Dandari P.S. Case No. 114 of 2023, registered under Sections 384, 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.

3. Informant, namely, Ramashish Paswan alleged that on 09.12.2023 at about 7 PM, all the F.I.R. named accused persons including these appellants were forcibly cultivating the land of informant and when he protested, all the accused persons abused him by caste name and demanded ransom of Rs. 50,000/-.

4. Learned counsel for the appellants submits that appellants are innocent and have committed no offence. F.I.R. has been lodged after inordinate delay of eight days, without any plausible explanation, which itself raises doubt over veracity of the prosecution case. As a matter of fact, appellants are farmers and caretakers of the land of Santosh Kumar Choudhary and informant, having land dispute with Santosh Kumar Choudhary, has lodged this false and concocted case against appellants with ulterior motive. 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.

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



6. Considering the nature of accusation and backdrop 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 Special Judge, SC/ST (POA) Act, Begusarai in ABA No. 361 of 2024 in connection with Dandari P.S. Case No. 114 of 2023.

7. Accordingly, this criminal appeal is allowed and impugned order dated 28.02.2024 is set aside with respect to these appellants only.

(Prabhat Kumar Singh, J)

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