

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1494 of 2024

Arising Out of PS. Case No.-7 Year-2024 Thana- JANKINAGAR District- Purnia

-
1. Dilip Kumar Giri @ Dilip Giri Son Of Krishna Nand Giri Resident Of Village - Madhuban Ward No.5, P.S. - Jankinagar, District - Purnia
 2. Dharmendra Kumar Giri @ Dharmendra Giri Son Of Krishna Nand Giri Resident Of Village - Madhuban Ward No.5, P.S. - Jankinagar, District - Purnia
 3. Pankaj Kumar Giri @ Pankaj Giri Son Of Krishna Nand Giri Resident Of Village - Madhuban Ward No.5, P.S. - Jankinagar, District - Purnia
 4. Neved Giri @ Mintu Son Of Krishna Nand Giri Resident Of Village - Madhuban Ward No.5, P.S. - Jankinagar, District - Purnia
 5. Vikash Giri @ Pappu Giri Son Of Krishna Nand Giri Resident Of Village - Madhuban Ward No.5, P.S. - Jankinagar, District - Purnia

... .. Appellant/s

Versus

1. The State of Bihar
2. Rupa Devi Wife Of Ramesh Paswan Residence Of Village - Madhuban Ward No.4, P.S. - Jankinagar, District - Purnia

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Saurabh Kumar, Mr. Rishup, Advocates
For the Respondent/s : Mrs. Usha Kumari 1, Spl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 07-08-2025 Despite filing *Vakalatnama*, 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 13.02.2024 passed by learned Special Judge, SC/ST Act, Purnia in ABP No. 20 of 2024 in connection with Jankinagar P.S. Case No. 7 of 2024, registered under Sections 147, 341, 323, 506,



504/34 of the Indian Penal Code and Section 3(1)(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. Informant, namely, Rupa Devi alleged that all the F.I.R. named accused persons, including these appellants, forcibly cut the crops of informant and when she protested, all the accused persons abused her by caste name and threatened to kill her husband.

5. 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 about 70 days, without any plausible explanation, which itself raises doubt over veracity of the prosecution case. 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.

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

7. Considering the nature of accusation, delay in lodging the F.I.R. 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 Act, Purnia in ABP No. 20 of 2024 in connection with Jankinagar P.S. Case No. 7 of 2024.

8. Accordingly, this criminal appeal is allowed and impugned order dated 13.02.2024 is set aside with respect to these appellants only.

(Prabhat Kumar Singh, J)

Navya/-

U		T	
---	--	---	--

