

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1471 of 2024

Arising Out of PS. Case No.-293 Year-2023 Thana- DARAUNDA District- Siwan

Ruplal Prasad Son of Amindra Prasad Resident of Village- Bishunpura, Police Station- Daraunda, Dist.- Siwan

... .. Appellant/s

Versus

1. The State of Bihar
2. Damodar Kumar Manjhi Son of Ranglal Manjhi Resident of Village- Bishunpura, Police Station- Daraunda, Dist.- Siwan

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ajay Kumar Tiwary, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. Public Prosecutor
For the Res No. 2	:	Mr. Ranjay Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

2. This criminal appeal has been filed against the order dated 27.02.2024 passed by learned 1st Additional Sessions Judge-cum-Special Judge, Siwan in ABP No. 103 of 2024 in connection with Daraunda P.S. Case No. 293 of 2023, instituted under Sections 341, 323, 324, 307, 504, 506, 379/34 of the Indian Penal Code and Sections 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellant has been rejected.

3. As per F.I.R., on the alleged date and time of occurrence, this appellant was drinking wine in public place and



when informant objected, appellant abused him by caste name and co-accused Omkar Prasad assaulted on his chest with knife. It is further alleged that this appellant took mobile phone and silver chain of the informant.

4. Learned counsel for the appellant submits that appellant is innocent and has committed no offence. He further submits that specific accusation of assault with knife is against co-accused Omkar Prasad and so far, appellant is concerned, he is only alleged to have abused by caste name. It is not the case of informant that any member of public was present at the time of alleged occurrence, as such, no case under Section SC/ST Act is made out against the appellant. Appellant claims 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 nature of accusation and clean antecedent, let the appellant, as named above, in the event of his arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-



Special Judge, Siwan in ABP No. 103 of 2024 in connection with Daraunda P.S. Case No. 293 of 2023.

7. Accordingly, this criminal appeal is allowed and impugned order dated 27.02.2024 is set aside with respect to this appellant only.

(Prabhat Kumar Singh, J)

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