

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1850 of 2023

Arising Out of PS. Case No.-507 Year-2022 Thana- GAIGHAT District- Muzaffarpur

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1. Ravi Ray @ Ravi Kumar Son of Raj Kumar Ray R/V- Rampatti, PS- Gaighat, Dist- Muzaffarpur
 2. Ratnesh Ray @ Ratnesh Kumar son of Vijay Ray @ Vajay Kumar R/V- Rampatti, PS- Gaighat, Dist- Muzaffarpur
 3. Rahul Ray @ Rahul Kumar son of Raj Kumar Ray R/V- Rampatti, PS- Gaighat, Dist- Muzaffarpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Prabhat Kumar Pranav Kumar Resident of Village- Rampatti, P.S.-Gaighat, District- Muzaffarpur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Girish Chandra Jha, Advocate
For the Respondent/s : Mrs. Usha Kumari 1, Spl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 18-04-2025 Despite valid service of notice, 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 20.03.2023 passed by learned Additional District and Sessions Judge-1 cum Special Judge SC/ST Act, Muzaffarpur in connection with Gaighat P.S. Case No. 507 of 2022, registered under Sections 147, 148, 149, 341, 323, 324, 504, 506, 379 and 307 of the Indian Penal Code and Section 3(i)(R)(s) of



Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellants has been rejected.

4. As per the prosecution case, these appellants, along with other accused persons named in the F.I.R., are alleged to have assaulted informant with iron rod and butt of pistol.

5. It is submitted by learned counsel appearing on behalf of the appellants that appellants are innocent and have falsely been implicated in this case. Doctor has found the injuries allegedly caused by these appellants to be simple in nature. From bare perusal of the F.I.R. it is apparent that no member of public was present at the time of occurrence and as such, no case under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is made out against these appellants. It is further submitted that similarly situated co-accused persons have already been granted anticipatory bail by this Hon'ble Court *vide* order dated 12.09.2024 passed in Cr. Appeal (SJ) No. 3160 of 2023. Appellants claim clean antecedents

6. On the other hand, learned S.P.P. appearing on behalf of the State has vehemently opposed the prayer for grant of bail to these appellants.

7. Considering the nature of accusation 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 Additional District and Sessions Judge-1 cum Special Judge SC/ST Act, Muzaffarpur in connection with Gaighat P.S. Case No. 507 of 2022.

8. Accordingly, this criminal appeal is allowed and impugned order dated 20.03.2023 is set aside with respect to these appellants only.

(Prabhat Kumar Singh, J)

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