

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1751 of 2024

Arising Out of PS. Case No.-888 Year-2023 Thana- BODHGAYA District- Gaya

Sonu Kumar Son of Ashok Prajapat R/o Village- Moratal, P.S.- Bodh Gaya,
Dist.- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Umesh Rajak Principal, Higher Secondary School, Moratal, P.S.- Bodh Gaya, Dist.- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Brijmohan Das, Advocate
For the Respondent/s	:	Mrs. Usha Kumari 1, Spl. Public Prosecutor Mr. Kameshwar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-08-2025 Heard learned counsel for the parties.

2. This criminal appeal has been filed against the order dated 22.01.2024 passed by learned Exclusive Special Judge (SC & ST), Gaya in ABP No. 12 of 2024 in connection with Bodh Gaya P.S. Case No. 888 of 2023, instituted under Sections 341, 323, 504, 379, 325/34 of the Indian Penal Code and Sections 3(i)(r)(s)(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellant has been rejected.

3. It is alleged that car of the informant ran over the dog of co-accused Ashok Prajapati when he, along with his dog, was sitting near the street, as a result of which all the F.I.R.



named accused persons including this appellant abused informant by caste name and assaulted him with fists. It is further alleged that the accused persons also snatched gold chain of the informant.

4. Learned counsel for the appellant submits that appellant is innocent and has committed no offence. He next submits that due to petty dispute, scuffle took place between the parties. Allegation of assault is general and omnibus. Injuries, allegedly, sustained by the injured are simple in nature. Moreover, it is not the case of informant that alleged incident occurred within the public view, as such, no offence under SC/ST Act is made out against appellant. Appellant claims clean antecedent.

5. Learned Spl. Public Prosecutor for the State as well as learned counsel for the respondent no. 2 vehemently opposed the bail application.

6. Considering the aforesaid facts, 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 Exclusive Special Judge (SC & ST), Gaya in ABP No. 12 of 2024 in



connection with Bodh Gaya P.S. Case No. 888 of 2023.

7. Accordingly, this criminal appeal is allowed and
impugned order dated 22.01.2024 is set aside with respect to
this appellant only.

(Prabhat Kumar Singh, J)

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