

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1743 of 2024

Arising Out of PS. Case No.-45 Year-2024 Thana- AMBA District- Aurangabad

-
1. Ghanshyam Sao @ Ghanshyam Saw Son of Late Hira Sao Resident of Village - Singhpur, P.S. - Amba, District - Aurangabad
 2. Prahlad Gupta Son of Late Parmanand Sao Resident of Village - Singhpur, P.S. - Amba, District - Aurangabad
 3. Sonu Gupta Son of Ghanshyam Sao Resident of Village - Singhpur, P.S. - Amba, District - Aurangabad
 4. Abhishek Gupta Son of Jiv Nandan Sao Resident of Village - Singhpur, P.S. - Amba, District - Aurangabad
 5. Vivek Gupta Son of Jiv Nandan Sao Resident of Village - Singhpur, P.S. - Amba, District - Aurangabad

... .. Appellant/s

Versus

1. The State of Bihar
2. Tribhuwan Ram Son of Late Karmdeo Ram @ Late Karimdeo Ram Resident of Village - Singhpur, P.S. - Amba, District - Aurangabad

... .. Respondent/s

Appearance :

For the Appellant/s : Mrs. Mukul Kumari, Advocate
For the Respondent/s : Mrs. Usha Kumari 1, Spl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-08-2025 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 15.03.2024 passed by learned Additional District & Sessions Judge 1st cum Special Judge (SC/ST), Aurangabad in ABP No. 500 of 2024 arising out of Amba SC/ST P.S. Case No. 45 of



2024, registered under Sections 341, 323, 325, 504, 506/34 of the Indian Penal Code and Section 3(1)(r)(s)(j)/ 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. As per prosecution case, on petty dispute over removing carcass of dog, quarrel took place between the parties in which it is alleged that these appellants assaulted informant and one Lalita Devi and abused them by caste name.

5. Learned counsel for the appellants submits that appellants are innocent and have committed no offence. Allegation of assault against appellants is general and omnibus. He further submits that nature of injury of both the injured are kept reserved and cause of injury is not mentioned in the injury report. 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 aforesaid facts and circumstances 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 learned Additional District & Sessions Judge 1st cum Special Judge (SC/ST), Aurangabad in ABP No. 500 of 2024 arising out of Amba SC/ST P.S. Case No. 45 of 2024.

8. Accordingly, this criminal appeal is allowed and impugned order dated 15.03.2024 is set aside with respect to these appellants only.

(Prabhat Kumar Singh, J)

Navya/-

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

