

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1754 of 2024**

Arising Out of PS. Case No.-5 Year-2024 Thana- SC/ST District- Begusarai

Marjeeb Ram @ RamJeeban Ram Son of Late Faudar Ram Resident of Patel Chawk, Ward No.-31, P.S. - Begusarai Town, District - Begusarai

... .. Appellant/s

Versus

1. The State of Bihar
2. Ajay Kumar Son of Vikram Paswan Resident of Patel Chawk, Ward No.-31, P.S. - Begusarai Town, District - Begusarai

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Shubhesh Pandey/ Mr.Amit Kumar Mishra
For the State	:	Mr.Sadanand Paswan
For Respondent – 2	:	None

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4 06-02-2025 Heard learned counsel for the appellant and learned Special P.P. for of the State. Despite valid service of notice, nobody appears on behalf of respondent no. 2.

2. This appeal has been filed against the order dated 11.03.2024 passed by learned Special Judge, SC/ST Act, Begusarai in a case registered under Sections 341, 323, 354(B), 504, 506/34 of the Indian Penal Code and Sections 3(i)(r)(s)(w), 3(2)(va) of the SC/ST Act, whereby the prayer for anticipatory bail of appellant has been rejected.

3. As per F.I.R., all the accused persons named in the FIR including this appellant abused informant by taking caste name and thereafter, pressurized him to withdrawn the case, otherwise he would be killed.

4. Learned counsel for the appellant submits that both



parties are co-villagers and due to dispute over pathway, this false and concocted case has been lodged. The dispute over pathway is already sub-judice before the C.O. Begusarai. Allegation is general and omnibus. He further submits that it is not the case of the informant that at the time of alleged occurrence, any public was present and as such, no case under the SC/ST Act is made out. Appellant claims clean antecedent.

5. Learned Spl. Public Prosecutor for the State vehemently opposes the appeal.

6. However, considering the aforesaid facts and circumstances, the impugned order dated 11.03.2024, so far as this appellant is concerned, is, hereby, set aside and this criminal appeal is allowed.

7. Let the appellant, as named above, in the event of arrest or surrender within a period of eight weeks from today, be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST Act, Begusarai in connection with SC/ST P.S. Case No. 05 of 2024.

(Prabhat Kumar Singh, J)

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