

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1766 of 2024

Arising Out of PS. Case No.-263 Year-2023 Thana- RAGHUNATHPUR District- Siwan

Amit Yadav @ Amit Kumar Yadav Son of Shrinath Yadav Resident of
Village- Mirzapur, Police Station- Darauli, Dist.- Siwan

... .. Appellant/s

Versus

1. The State of Bihar
2. Arjun Kumar Gor Son of Vijay Gor Resident of Village- Rajpur Mor, Police
Station- Raghunathpur, Dist.- Siwan

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Sanjay Kumar Maurya, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. Public Prosecutor Mr. Bindeshwar Prasad Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 21-08-2025 Heard learned counsel for the parties.

2. This criminal appeal has been filed against the order dated 07.03.2024 passed by learned Additional Sessions Judge-1st-cum-Special Court, Siwan in ABP No. 2814 of 2023 arising out of Raghunathpur P.S. Case No. 263 of 2023, instituted under Sections 341, 323, 379, 504, 506/34 of the Indian Penal Code and Sections 3(i)(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., all the F.I.R. named accused persons including this appellant surrounded the informant and assaulted



his with fists, slaps and *danda* and abused him by caste name. This appellant is alleged to have extended threat to the informant.

4. Learned counsel for the appellant submits that appellant is innocent and has committed no offence. Allegation of assault is general and omnibus. Appellant is only alleged to have threatened the informant and there is no specific allegation of overt act against him. 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.

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 nature of accusation, 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 Additional Sessions Judge-1st-cum-Special Court, Siwan in ABP No. 2814 of 2023 arising out of Raghunathpur P.S. Case No. 263 of 2023.

7. Accordingly, this criminal appeal is allowed and



impugned order dated 07.03.2024 is set aside with respect to
this appellant only.

(Prabhat Kumar Singh, J)

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