

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1848 of 2024

Arising Out of PS. Case No.-29 Year-2024 Thana- AMAS District- Gaya

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1. SURYADEV YADAV @ SURAJ DEV YADAV @ SURAJDEV YADAV SON LATE RAUNDI YADAV Resident of Village- Amas Tola Mathpar, Majhaulia, P.S.- Amas, District- Gaya
 2. SUSHASH YADAV @ MURI YADAV S/O LATE RAMBRIKSH YADAV Resident of Village- Amas Tola Mathpar, Majhaulia, P.S.- Amas, District- Gaya
 3. MANISH YADAV @ MANISH KUMAR YADAV S/O SURYADEV YADAV Resident of Village- Amas Tola Mathpar, Majhaulia, P.S.- Amas, District- Gaya

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. ANURADHA KUMARI W/O KUNDAN KUMAR R/O VILLAGE-PATHRA, P.S- AMAS, DISTT.- GAYA.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Yogesh Kumar , Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. PP
For informant	:	Mr. Sudhir Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 11-09-2025 Heard learned counsel for the parties.

2. This appeal has been filed for setting aside order dated 23.03.2024 passed in a case registered for the offence punishable under sections 341/323/354/379/504/506/34/308 of the Indian Penal Code and sections and Section 3 (1) (r), 3 (1) (s) of the SC/ST (POA) Act, whereby the prayer for anticipatory bail of the appellant has been rejected.

3. As per the prosecution case , informant namely , Anuradha Kumari alleged that on 22.01.2024 at about 8:30 PM,



all the F.I.R. named accused persons including these appellants misbehaved with informant and tried to outrage her modesty . When husband of informant came to rescue her, then he was also assaulted and abused by caste name . It is further alleged that accused persons snatched gold chain from neck of informant and Rs. 2500/- from pocket of husband of informant.

4. It is submitted on behalf of these appellants that on trivial issue of grazing of field by she-goat of these appellants, a sudden quarrel arose between both the parties. Allegation of abuse by caste name and assault is general and omnibus against these appellants. Rest of the allegations are ornamental in nature to make the case grave in nature . It is not the case of informant that any member of public was present at the time of incident, and as such, no case under SC/ST Act is made out. Appellants claim clean antecedent.

5 . Learned counsel for the respondent No. 2 as well as learned special Public Prosecutor for the State opposed the bail appeal.

6. Considering the aforesaid facts, this appeal is allowed and the impugned order is set aside. Let the appellants, named above, in the event of arrest/surrender within a period of eight weeks from the date of receipt/production of a copy of this



order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge SC/St, Gaya in connection with Amas Police Station Case No. 29 of 2024 .

(Prabhat Kumar Singh, J)

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