

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1942 of 2024

Arising Out of PS. Case No.-501 Year-2023 Thana- JHAJHA District- Jamui

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Aman Kumar @ Aman Mathuri Son of Vijay Shankar Mathuri Resident of
Purani Bazar, P.S.- Jhajha, District - Jamui.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Satya Prakash Parasar, Adv.

For the Respondent/s : Mrs. Usha Kumari 1, Spl. PP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 13-02-2025 Heard learned counsel for the parties.

2. This appeal has been filed against the order dated 09.02.2024 passed by learned Additional District & Sessions Judge-I-cum-Special Judge, SC/ST (Prevention of Atrocities) & POCSO Act, Jamui in connection with A.B.A. No. 2015 of 2023 arising out of Jhajha P.S. Case No. 501 of 2023, registered under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code and Section 3(i)(r)/3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellant has been rejected.

3. As per prosecution case, on 02.10.2023 at about 6 P.M, when the son of the informant went to market to purchase vegetables, all the FIR named accused persons abused him by



caste name and brutally assaulted him.

4. Learned counsel for the appellant submits that appellant is innocent and has committed no offence. He further submits that both parties are co-villagers and due to petty dispute this false and concocted case has been lodged against the appellant. The allegations levelled against the appellant are general and omnibus. There is no injury report on record to substantiate the allegations levelled against the appellant. It is not the case of complainant that the alleged incident occurred within public view as such, no offence under SC/ST Act is made out. Appellant claims clean antecedent.

5. Learned Spl. Public Prosecutor for the State 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 Additional District & Sessions Judge-I-cum-Special Judge, SC/ST (Prevention of Atrocities) & POCSO Act, Jamui in connection with Jhajha P.S. Case No. 501 of 2023.

7. Accordingly, this criminal appeal is allowed and



impugned order dated 09.02.2024 is set aside with respect to
this appellant only.

(Prabhat Kumar Singh, J)

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