

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1928 of 2024

Arising Out of PS. Case No.-3 Year-2024 Thana- JIRADEI District- Siwan

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Vikash Yadav @ Vikash Kumar S/o Vidya Yadav R/o vill - Thapahan /
Thapahan, Bari Tola, P.S. - Ziradei, Distt.- Siwan

... .. Appellant/s

Versus

- 1 . The State of Bihar
2. Durgawti Devi W/o Manoj Ram R/o Thapahan/ Thapahan, Bari tola, P.s. -
Ziradei, Distt. - Siwan

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Krishna Kant Singh, Advocate

For the Respondent/s : Mr. Binay Krishna, Spl. PP

For informant : Mr. Bijay Prakash Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 11-11-2025 Heard learned counsel for the parties.

2. This appeal has been filed for setting aside order dated 05.04.2024 passed in a case registered for the offence punishable under sections 363, 366, 504, 506, 34 of the I.P.C. and section 3(i)(r), 3(i)(s) of the Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of the appellant has been rejected.



3 . As per the prosecution case , informant namely, Durgawati devi alleged that on 30.12.2023 at about 06:00 AM, daughter of informant went to attend nature's call, thereafter, she was taken away with an intent to marry her. When informant went to confront at his house then co-accused Ankush Yadav abused her by caste name and also threatened her with dire consequences.

4. It is submitted on behalf of appellant that appellant is not named in the F.I.R. The victim in her statement recorded under section 164 Cr. P C statement has not stated anything wrong against this appellant. It is further submitted that there is absolutely no allegation that this appellant abused the informant by caste name and as such, no offence under SC / ST Act is made out. Appellant claims clean antecedent.

5 . Learned special public prosecutor for the State as well as learned counsel for respondent No. 2 opposed the bail.

6. Considering the aforesaid facts, this appeal is allowed and the impugned order is set aside. Let the appellant, 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) with two sureties of the like amount



each to the satisfaction of the learned learned 1 Additional
Session Judge-cum-Special Judge, Siwan in connection with
Ziradai Police Station Case No. 03 of 2024 .

(Prabhat Kumar Singh, J)

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