

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1895 of 2024

Arising Out of PS. Case No.-56 Year-2023 Thana- SC/ST District- Patna

Rakesh Yadav @ Rakesh Kumar son of Jagnarayan Yadav Village- Hasanpura
Police station- Beur District- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Lagandeo Manjhi son of Late Chandar Manjhi Village- Hasanpura Ps- Beur
Dist- Patna

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Avinash Raj, Adv.
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. PP
For the Resp No.2	:	Mr. Sanjeev Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 13-02-2025 Heard learned counsel for the parties.

2. This appeal has been filed against the order dated 22.03.2024 passed by learned Exclusive Special Judge, SC/ST Act, Patna in connection with SC/ST P.S Case No. 56 of 2023, registered under Sections 341, 323, 354, 504, 506 and 34 of the Indian Penal Code and Section 3(1)(r)(s), 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 10.12.2023 while the daughter of the informant was crossing the field of appellant to reach her parents agricultural land, the appellant



assaulted her with fists and slaps and abused her. When the informant and his wife intervened, other accused persons assaulted them and abused them by taking caste name and also snatched mobile phone.

4. Learned counsel for the appellant submits that appellant is innocent and has committed no offence. As a matter of fact, on the alleged date of occurrence a quarrel took place between the parties as the daughter of informant damaged the crops grown in the agricultural field of appellant and taking advantage of the situation this false and concocted case has been lodged. The allegation levelled against the appellant is general and omnibus. 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 claim clean antecedent.

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 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 Exclusive Special



Judge, SC/ST Act, Patna in connection with SC/ST P.S. Case
No. 56 of 2023.

7. Accordingly, this criminal appeal is allowed and
impugned order dated 22.03.2024. is set aside with respect to
this appellant only.

(Prabhat Kumar Singh, J)

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