

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1987 of 2024

Arising Out of PS. Case No.-77 Year-2023 Thana- SC/ST District- Lakhisarai

1. Chato Yadav S/o- Kare Lal Yadav Village- Titiya Chak Ps- Chanan Dist- Lakhisarai
2. Rahul Yadav son of Bago Yadav Village- Titiya Chak Ps- Chanan Dist- Lakhisarai
3. Akhilesh Yadav son of Shivan Yadav Village- Titiya Chak Ps- Chanan Dist- Lakhisarai
4. Sakaldeo Yadav son of Asho Yadav Village- Titiya Chak Ps- Chanan Dist- Lakhisarai
5. Jitu Yadav son of Huro Yadav Village- Titiya Chak Ps- Chanan Dist- Lakhisarai

... .. Appellant/s

Versus

1. The State of Bihar
2. Manisha Devi wife of Murari Paswan Village- Titiya Chak Ps- Chanan Dist-
lakhisarai

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Rajive Ranjan Singh, Advocate
For the Respondent/s : Mrs. Usha Kumari 1, Spl. PP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 13-11-2025 Heard learned counsel for the parties. Despite
valid service of notice , nobody appears on behalf of respondent
No.2.

2. This appeal has been filed for setting aside order dated 28.03.2024 passed in a case registered for the offence punishable under sections 147, 148, 149, 341 , 323 , 337, 325 , 307, 379, 354 (B), 504 and 506 of IPC and 3(1)(r) (s), / 3(2) (va) Schedule Caste and Schedule Tribes Act, whereby the



prayer for anticipatory bail of the appellant has been rejected.

3 . As per the prosecution case, the informant, namely, Manisha devi alleged that on 20.11.2023 , all the F.I.R. named accused persons including these appellants came to the house of informant and abused her by caste name and also assaulted informant and others with bricks, stones and lathi-danda , iron rod due to which they sustained injuries.

4. It is submitted on behalf of these appellants that F.I.R. has been lodged after delay of 2 days for which there is no explanation . Allegation of assault is general and omnibus against these appellants. Injuries sustained by injured are simple in nature . There is absolutely no allegation against these appellants that they abused informant by caste name and as such, no case under Section SC / ST Act is made out. Appellants claim clean antecedent.

5 . Learned special Public Prosecutor for the State opposed the bail.

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 Additional and District and Sessions Judge – I Lakhisarai-cum- Special Judge SC & ST Act, Lakhisarai Distrtict- Lakhisarai in connection with Lakhisarai Police Station Case No. 77 of 2023 .

(Prabhat Kumar Singh, J)

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