

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2058 of 2024

Arising Out of PS. Case No.-5 Year-2024 Thana- MAHKAR District- Gaya

Pancham Yadav @ Pancham Kumar Son of Aravind Yadav R/O Village-
Harsinghra, P.S.- Mahkar, District- Gaya.

... .. Appellant/s

Versus

- 1 . The State of Bihar
2. Ramanand Manjhi Son of Bucha Manjhi R/O Vill.- Basudeva, Ward no.- 8,
P.S.- Singhiya, Dist.- Samastipur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Durgesh Nandan, Advocate

For the Respondent/s : Mr. Sadanand Paswan, 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 04.04.2024 passed in a case registered for the offence
punishable under sections 147, 148 , 149, 341 , 323 ,307, 504
and 506 and other allied sections of the Indian Penal Code and
sections 3(i)(r)(s), 3(1) (w) and 3(2)(v)(a) of the Scheduled
Castes and Scheduled Tribes Act, 1989, whereby the prayer for



anticipatory bail of the appellant has been rejected.

3 . As per F.I.R. all the accused persons including this appellant and co-villagers of the informant came to the house of informant and assaulted informant and other family members due to which they sustained injuries.

4. It is submitted on behalf of appellant that specific accusation of assault is against co-accused Vijay Yadav , Futush Yadav and Dhananjay Kumar. So far as, this appellant is concerned, allegation is general and omnibus against him. There is absolutely no allegation that this appellant abused the informant by caste name and as such, no case under SC/ST Act is made out.

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 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 Exclusive special Judge SC / ST Gaya in connection with Mahkar (Sarbahada OP)



Police Station Case No. 05 of 2024 .

(Prabhat Kumar Singh, J)

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