

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2402 of 2024

Arising Out of PS. Case No.-61 Year-2024 Thana- SHAHPUR PATORI District- Samastipur

Kundan Kumar Pandey SON OF LAXMI PANDEY @ LAKSHMI PANDEY
VILLAGE- LAWAPUR NARAYAN, PS- MAHNAR, DIST- VAISHALI AT
HAJIPUR

... .. Appellant/s

Versus

- 1 . The State of Bihar
2. DILIP KUMAR SON OF RAM DEKHAVAN PASWAN VILLAGE-
DUMARI UTTARI PS- SHAHPUR PATORI, DIST- SAMASTIPUR

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Sachin Kumar , Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. PP
For respondent No. 2	:	Mr. Mrityunjay Kumar , Advocate Mr. Awadhesh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 20-02-2025 Heard learned counsel for the parties.

2. This appeal has been filed for setting aside order dated 23.04.2024 passed in a case registered for the offence punishable under sections 341 , 323 , 379, 504, 506 and 34 and other allied sections of the Indian Penal Code and sections 3(i) (r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of the appellant has been rejected.

3 . As per the prosecution case , on 09.02.2024 at



about 5 : 00 PM , this appellant caught informant's neck and abused him by caste name and threatened him with dire consequences.

4. It is submitted that appellant is innocent and has committed no offence as alleged. As a matter of fact, present case is counter blast of Shahpur patory P s Case No. 49 of 2024 which was filed by the present appellant four days prior to the present case and to save skin from the aforesaid case , this present false and concocted case has been lodged against this appellant. Appellant is teacher. It is not the case of the informant that any member of public was present at the time of incident, as such, no case under SC/ST Act is made out. Appellant claims clean antecedent.

5 . Counsel for the respondent No. 2 and learned Public Prosecutor for the State opposed the prayer for 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 Special Judge, SC/St



(POA) Samastipur in connection with Shahpur Patory Police
Station Case No. 61 of 2024 .

(Prabhat Kumar Singh, J)

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