

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2425 of 2024

Arising Out of PS. Case No.-426 Year-2020 Thana- ATRI District- Gaya

-
- 1 . Dhaneshwari Devi WIFE OF Moktar Yadav Village- Chahal Mudera PS -Atri District -Gaya
 2. Bugal Yadav @ Arjesh Yadav @ Vugal Yadav @ Ajesh Kumar SON OF BALAK YADAV @ RAMBALAK YADAV Village- Chahal Mudera PS -Atri District -Gaya
 - 3 . Vakil Yadav @ Nitish Yadav @ Nitish Kumar SON OF BHUNESHWAR YADAV Village- Chahal Mudera PS -Atri District -Gaya
 4. Brijesh Kumar Yadav @ Brijesh Yadav @ Brajesh Yadav SON OF Bhuneshwar Yadav Village- Chahal Mudera PS -Atri District -Gaya
 - 5 . Ranjan Kumar Yadav @ Ranjan Yadav SON OF Bhuneshwar Yadav Village- Chahal Mudera PS -Atri District -Gaya

... .. Appellant/s

Versus

- 1 . The State of Bihar
2. Dayanand Kumar Paswan SON OF Late Balo Paswan Village- Chahal Mudera PS -Atri District -Gaya

... .. 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 20-02-2025

Heard learned counsel for the parties.

2. This appeal has been filed for setting aside order dated 04.05.2024 passed in a case registered for the offence punishable under sections 147, 149, 341 , 323 , 504, 506 of the Indian Penal Code and sections 3(1) (r) (s), 3(i) (va) of the Scheduled Castes and Scheduled Tribes (POA) Act whereby the prayer for anticipatory bail of the appellant has been rejected.



3 . As per the prosecution case, on the alleged date and time of occurrence these appellants are alleged to have assaulted and abused informant by caste name.

4. It is submitted on behalf of these appellants that appellants are innocent and have falsely been implicated in this case . Allegation of abuse and assault is general and omnibus in nature . There is no injury report on record to substantiate the prosecution case. 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. Appellants claim clean antecedent.

5 . Learned 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 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 Exclusive Special Judge, SC/ST, Gaya in connection with Atri Police Station



Case No. 426 of 2020.

(Prabhat Kumar Singh, J)

Koushik/-

U		T	
---	--	---	--

