

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2514 of 2024

Arising Out of PS. Case No.-118 Year-2024 Thana- OBRA District- Aurangabad

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1. Manoj Yadav Son of Shankar Yadav R/O Vill.- Kharanti, P.S.- Obra, Dist.- Aurangabad.
 2. Shankar Yadav Son of Tulsi Yadav R/O Vill.- Kharanti, P.S.- Obra, Dist.- Aurangabad.

... .. Appellant/s

Versus

1. The State of Bihar
2. Manjita Devi Wife of Vinod Paswan R/O Vill.- Kuraipur Ranlakhhan Bigha, P.S.- Obra, Dist.- Aurangabad.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Amit Anand
For the Respondent/s : Mrs. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 04-11-2025 Heard learned counsel for the appellants and learned
Spl. P.P. for the State.

2. This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 09.04.2024 passed by the learned Special Judge S.C./S.T.-cum-1st Additional District & Sessions Judge, Aurangabad in connection with Obra P.S. Case No. 118 of 2024 registered for the offences punishable under Sections 341, 323, 354, 506 and 34 of the Indian Penal Code as well as Sections



3(1)(r), 3(1)(s), 3(2)(va) of the SC/ST Act.

3. The case of the prosecution in short is that while the respondent along with her daughter had gone to harvest the crop of lentils (*masur*), the appellants who are residents of the adjacent village, arrived at the fields and started abusing them by caste names and also alleged that the lentil crop of the appellants was being harvested by them. It is further alleged that the accused persons assaulted the respondent and her daughter with slaps and fists.

4. Learned counsel for the appellants submits that the appellants have been falsely implicated in the instant case. Learned counsel for the appellants has also submitted that from the FIR, it is clear that the appellants are not the co-villagers of the respondent; rather, they are residents of the adjacent village. The real fact is that the respondent and her daughter have harvested the lentil crop of the appellants to which he has objected. It has also been submitted that no specific words are written in the FIR with which the respondent was being abused. It has also been submitted that the occurrence is of a secluded place, and it is not in public view.

5. Learned Spl. P.P. for the State has vehemently opposes the appeal and submits that there is allegation of



abusing by caste names and assaulting the respondent.

6. In view of the submissions made by the learned counsel for the appellant, the order dated 09.04.2024 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. Act, in connection with Obra P.S. Case No. 118 of 2024 is hereby set aside and the appellant above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Obra P.S. Case No. 118 of 2024 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. Accordingly the appeal stands allowed.

(Ashok Kumar Pandey, J)

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