

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2461 of 2024

Arising Out of PS. Case No.-56 Year-2023 Thana- SC/ST District- Gopalganj

KRISHNA PANDIT @ KRISHNA PADIT SON OF LALDEV PANDIT
RESIDENT OF VILLAGE - KHAJUHATTI, P.S. - BAIKUNTHPUR,
DISTRICT - GOPALGANJ

... .. Appellant/s

Versus

1. The State Of Bihar
2. Usha Devi Wife of Sudish Manjhi Resident of Village - Khajuhatti, P.S. -
Baikunthpur, District - Gopalganj

... .. Respondent/s

Appearance :

For the Appellant/s	:	Ms. Priya Raj, Advocate
For the Respondent/s	:	Mr. Binay Krishna. Spl. PP
For the Informant	:	Mr. Shashank Shekhar, Advocate
		Ms. Mili Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-02-2025 Heard learned counsel for the parties.

2. This appeal has been filed for setting aside order dated 25.04.2024 passed in a case registered for the offence punishable under sections 341, 323, 325, 354, 504, 506, 34 of the Indian Penal Code and sections 3 (i) (r)(s), 3 (2) (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 , allegation against this appellant is to assault and abuse the informant by caste name .

4. It is submitted that due to petty dispute a quarrel took place between the parties and taking advantage of the situation , this false and concocted case has been lodged. There is no injury report on record to substantiate the allegation of assault. 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 . 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 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 Additional District and Sessions Judge - XI cum Exclusive Special Judge under SC/ST



Gopalganj in connection with Gopalganj Police Station Case
No. 56 of 2023 .

(Prabhat Kumar Singh, J)

Koushik/-

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

