

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2644 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- BANDEYA District- Aurangabad

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- 1 . MORPATI DEVI @ PRABHA DEVI W/O- NAGENDRA YADAV
VILLAGE- GHONTA, P.S.- BANDEYA, DISTT.- AURANGABAD
 2. NAGENDRA YADAV SON OF LATE DEVAVALI YADAV @ LATE
DEVVALI YADAV VILLAGE- GHONTA,P.S.- BANDEYA, DISTT.-
AURANGABAD

... .. Appellant/s

Versus

- 1 . The State of Bihar
2. CHANDANI KUMARI W/O- SURENDRA PASWAN VILLAGE-
GHONTA, P.S.- BANDEYA, DISTT.- AURANGABAD

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Priya Ranjan, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl. PP
For respondent No. 2	:	Mr. Pramendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-02-2025 Heard learned counsel for the parties.

2. This appeal has been filed for setting aside order dated 10.05.2024 passed in a case registered for the offence punishable under sections 147, 148, 149, 323, 307, 354, 504 and 506 of the Indian Penal Code and section 3 (i) (r) (s) 3 (2), (va) of the Scheduled Cast & Scheduled Tribes (Prevention of Atrocities) Act whereby the prayer for anticipatory bail of the



appellant has been rejected.

3 . As per the prosecution case , informant alleged that on 26.03.2024 co-accused Suman Yadav poured colour on her cousin sister and tried to outrage her modesty and when she raised alarm, all the appellant named in the F.I.R., including these appellants assaulted and abused informant and other by caste name .

4. It is submitted that specific allegation of abuse by caste name is against co-accused Krishna Yadav, as such no offence u/s SC / ST is made out against these appellants. Allegation of assault is general and omnibus against these appellants. No specific allegation of overt act is alleged against these appellants. 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 Special Judge,
SC/ST,-Cum 1" Additional District and Sessions Judge,
Aurangabad in connection with Bandeya P.S. Case No. 15 of
2024 .

(Prabhat Kumar Singh, J)

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