

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2649 of 2024**

Arising Out of PS. Case No.-7 Year-2020 Thana- SC/ST District- Aurangabad

Ranjan Kumar Singh Son of Shankar Singh R/O Vill.- Asha Bigha, P.S.-
Rafiganj, Dist.- Aurangabad (Bihar)

... .. Appellant/s

Versus

1. The State Of Bihar
2. Dheeraj Kumar Son of Rajaram Paswan R/O Vill.- Balwant bigha, P.S.-
Rafiganj, Dist.- Aurangabad, Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Aman Vishal , Advocate

For the Respondent/s : Mrs. Usha Kumari 1, Spl. PP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 27-02-2025 Heard learned counsel for the parties. Despite filing
Vakalatnama, nobody appears on behalf of respondent No. 2.

2. This appeal has been filed for setting aside order dated 05.05.2024 passed in a case registered for the offence punishable under sections 147, 341, 323, 325, 504, 506 of The Indian Penal Code, 1860 (hereinafter referred as "IPC") and Section 3(1)(r), 3(1)(s), 3(2)(va) of The Schedule Caste and The Schedule Tribe (Prevention of Atrocities) Act, 1989 (hereinafter referred as "SC / ST Act" whereby the prayer for anticipatory bail of the appellant has been rejected.

3 . As per the prosecution case , informant namely Dhheraj Kumar alleged that on 22.02.2020 at around 1:00 P.M.,



while he was returning from St. Xavier's High School meantime , all the accused persons came there and abused him by caste name and assaulted by means of lathi and hockey stick and also threatened to kill him.

4. It is submitted that both the parties are co-villagers and due to petty dispute this false and concocted case has been lodged against this appellant. Allegation of abuse and assault is general and omnibus in nature against the appellant. No specific overt act has been alleged against him. 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 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) - cum - 1st Additional District and Sessions Judge, Aurangabad in



A.B.P. No. 879/2024 in connection with Aurangabad SC/ST P.S.
Case No. 07/2020.

Koushik/-
(Prabhat Kumar Singh, J)

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