

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2812 of 2024

Arising Out of PS. Case No.-560 Year-2023 Thana- BIKRAMGANJ District- Rohtas

Arbind Kumar Patel @ Chhotu Son of Arun Chaudhary Resident of Anjabit
Singh College Road, Bikramganj, P.S.- Bikramganj, District - Rohtas.

... .. Appellant/s

Versus

1. The State of Bihar
2. Nilesh Kumar Son of Late Jagnarayan Prasad Resident of Village -
Bhokhari, P.S.- Karahgar, District - Rohtas.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Bhaskar Shankar, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl. Public Prosecutor
For the R.No. 2	:	Mr. Ramakant Ram, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 10-04-2025 Heard learned counsel for the appellant, respondent
No. 2 and the State.

2. This criminal appeal has been filed against the order dated 24.05.2024 passed by learned Additional Sessions Judge- XVII -cum-Special Judge (SC & ST), Rohtas at Sasaram in Bikramganj P.S. Case No. 560 of 2023, instituted under Sections 307, 323, 341, 427, 504, 448, 506/34 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellant has been rejected.

3. As per F.I.R., on the alleged date and time of



occurrence, all the F.I.R. named accused persons including this appellant attacked informant with *lathi, danda, farsa* etc. due to which he became injured.

4. Learned counsel for the appellant submits that appellant is innocent and has committed no offence. Allegation of assault is general and omnibus and there is no specific allegation of overt act against this appellant. Injuries sustained by the injured are simple in nature. Moreover, there is no allegation of caste based abuse in the F.I.R., as such, no offence under SC/ST Act is made out against appellant. Appellant claims clean antecedent.

5. Learned Spl. Public Prosecutor for the State as well as learned counsel for the respondent No. 2 vehemently opposed the bail application.

6. Considering the aforesaid facts, let the appellant, as named above, in the event of his arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge- XVII -cum-Special Judge (SC & ST), Rohtas at Sasaram in Bikramganj P.S. Case No. 560 of 2023.

7. Accordingly, this criminal appeal is allowed and



impugned order dated 24.05.2024 is set aside with respect to
this appellant only.

(Prabhat Kumar Singh, J)

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