

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2946 of 2024

Arising Out of PS. Case No.-34 Year-2024 Thana- MASAUDHI District- Patna

Gajendra Ram @ Gajendra Kumar Son of Late Ravindra Kumar Chandrwansi
R/O Vill.- Jogia Tola, Ganga Chak Malkana, P.S.- Masaurhi, Dist.- Patna

... .. Appellant/s

Versus

1. The State Of Bihar
2. Vakil Chaudhary Son of Late Bhageran Chaudhary R/O Lakhi Bagh, P.S.-
Masaurhi, Dist.- Patna

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Tilak Sao, Advocate

For the Respondent/s : Mr. Binay Krishna, Spl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 22-07-2025 Despite valid service of notice, none appears on
behalf of the respondent No. 2.

2. Heard learned counsel for the appellant and the
State.

3. This criminal appeal has been filed against the
order dated 25.04.2024 passed by learned Special Judge (SC &
ST) Act, Patna in ABP No. 951 of 2024 in connection with
Masaurhi P.S. Case No. 34 of 2024, instituted under Sections
341, 323, 504/34 of the Indian Penal Code and Sections 3(2)(v)
of the Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, whereby the prayer for anticipatory bail of
appellant has been rejected.



4. Prosecution case, in brief, is that on 22.12.2023 at about 8 AM, while informant was going to his house, on the way at Jogia Tola, this appellant along with three unknown persons intercepted and assaulted him. It is further alleged that the accused persons also took away Rs. 12,000/- from the pocket of informant and abused him by caste name.

5. Learned counsel for the appellant submits that appellant is innocent and has committed no offence. Allegation of assault is general and omnibus. Rest of the allegations are ornamental only to make the case grave. He further submits that all sections under IPC are bailable and since it is not the case of informant that alleged incident occurred within the public view, as such, no offence under SC/ST Act is made out against appellant. Appellant claims clean antecedent.

6. Learned Spl. Public Prosecutor for the State opposed the bail application.

7. 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 Special Judge (SC & ST) Act, Patna in ABP No. 951 of 2024 in



connection with Masaurhi P.S. Case No. 34 of 2024.

8. Accordingly, this criminal appeal is allowed and
impugned order dated 25.04.2024 is set aside with respect to
this appellant only.

(Prabhat Kumar Singh, J)

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