

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2875 of 2024

Arising Out of PS. Case No.-13 Year-2024 Thana- SC/ST District- Vaishali

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1. Md Jahid @ Zahid @ Mohammad Jahid Ansari Son of Asghar Ali Resident of village- Gori Goma Dargah, P.S.- Mahua, District- Vaishali
 2. Md. Farid @ Farid Ansari Son of Shakeel Ahmad Resident of village- Gori Goma Dargah, P.S.- Mahua, District- Vaishali
 3. Md. Imroj @ Imroz Son of Akbar Ali Resident of village- Gori Goma Dargah, P.S.- Mahua, District- Vaishali

... .. Appellant/s

Versus

1. The State Of Bihar
2. Vikash Kumar Son of Umesh Paswan R/O Vill.- Laxmi Narayanpur, P.S.- Lalganj, Dist.- Vaishali

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ashhar Mustafa, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. Public Prosecutor
For the R.No. 2	:	Mr. Manoj Kumar Manoj, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-04-2025 Heard learned counsel for the appellants, respondent
No. 2 and the State.

2. This appeal has been filed against the order dated 28.05.2024 passed by learned Special Judge, SC/ST Act, Vaishali at Hajipur in connection with A.B.P. No. 1240 of 2024 arising out of Hajipur SC/ST P.S. Case No. 13 of 2024, registered under Sections 341, 323, 504, 506, 308/34 of the Indian Penal Code and Section 3(1)(r)(s)/3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellants has been



rejected.

3. Prosecution case, in brief, is that informant was appointed as driver for these appellants on monthly salary of Rs. 12,000/- but when he demanded his due salary, he was abused by caste name and assaulted with fists and slaps by the accused persons.

4. Learned counsel for the appellants submits that appellants are innocent and have committed no offence. Though there is allegation of assault, but there is no injury report on record to substantiate the allegations levelled against the appellants. The present case is result of financial dispute and it is not the case of informant that alleged incident occurred within public view, as such, no offence under SC/ST Act is made out against them. Appellants claim clean antecedent.

5. Learned Spl. Public Prosecutor for the State as well as learned counsel for the informant vehemently opposed the bail application.

6. Considering the nature of accusation and clean antecedent, let the appellants, as named above, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the



satisfaction of Special Judge, SC/ST Act, Vaishali at Hajipur in connection with Hajipur SC/ST P.S. Case No. 13 of 2024.

7. Accordingly, this criminal appeal is allowed and impugned order dated 28.05.2024 is set aside with respect to these appellants only.

(Prabhat Kumar Singh, J)

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