

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2893 of 2024

Arising Out of PS. Case No.-34 Year-2023 Thana- SC/ST District- Nawada

Shankar Yadav Son of Rajendra Yadav @ Raichandra Yadav Resident of Vill-
Siur Jalsar, P.S.- Roh, District- Nawada.

... .. Appellant/s

Versus

1. The State of Bihar
2. Birendra Ram Son of Late Baso Ram Resident of Vill- Katiya, P.S.- Roh,
District- Nawada.

... .. Respondent/s

Appearance :

For the Appellant	:	Mr. Manmohan Kumar, Advocate
For the State	:	Ms. Usha Kumari 1, Spl.PP
For Respondent No. 2	:	Mr. Rajesh Ranjan Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 13-11-2025 Heard learned counsel appearing for the appellant,

learned Spl.P.P. appearing on behalf of the State and learned
counsel appearing on behalf of the informant/Respondent No. 2.

2. This appeal has been filed for setting aside order dated 21.03.2024 passed in a case registered for the offence punishable under Sections 147, 148, 323, 324, 379, 504 and 307 of the Indian Penal Code and Sections 3(1)(s), 3(1)(r) and 3(2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of the appellant has been rejected.

3. As per prosecution case, this appellant is stated to have assaulted on the head of informant with a hammer and



thereafter, all the F.I.R. named accused persons abused informant and others by caste name.

4. It is submitted by learned counsel appearing on behalf of the appellant that appellant is quite innocent and has committed no offence. Appellant has falsely been implicated in this case with ulterior motive. There is no material on record to suggest that the alleged offence was committed solely on the ground that the informant belongs to SC/ST community and as such, no case under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is made out against the appellant.

5. On the other hand, learned Spl.P.P. appearing on behalf of the State and learned counsel appearing on behalf of the informant/Respondent No. 2 have vehemently opposed this appeal and submitted that appellant is named in the F.I.R. with specific accusation that he assaulted on the head of informant with hammer. Appellant, along with other accused persons, abused the informant and others by caste name. Appellant has got one criminal antecedent.

6. Considering the facts and circumstances of the case, specific and direct nature of accusation and gravity of offence, the prayer for grant of pre-arrest bail to the appellant is



rejected and this appeal is dismissed.

(Prabhat Kumar Singh, J)

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