

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3057 of 2024

Arising Out of PS. Case No.-23 Year-2024 Thana- SC/ST District- Siwan

ABHISHEK YADAV @ ABHISHEK KUMAR SON OF YOGENDRA
YADAV RESIDENT OF VILLAGE - SATWAR, POLICE STATION - G.B.
NAGAR, DISTRICT - SIWAN

... .. Appellant/s

Versus

- 1 . THE STATE OF BIHAR
2. KAMALI DEVI WIFE OF RISHI RAM RESIDENT OF VILLAGE -
SATWAR, POLICE STATION - G.B. NAGAR, DISTRICT - SIWAN

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ajay Kumar Tiwary, Advocate
For the Respondent/s	:	Mrs. Usha Kumari 1, Spl. PP
For informant	:	Mr. Udit Narayan Singh, Advocate
		Mr. Gajendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 13-11-2025 Heard learned counsel for the parties.

2. This appeal has been filed for setting aside order dated 07.05.2024 passed in a case registered for the offence punishable under sections 341 , 323 , 324, 325 , 307, 365 and 34 of the I.P.C, and Section 3 (I) (r), 3 (1) (s), 3 (2) (va) of S.C/S.T. Act, whereby the prayer for anticipatory bail of the appellant has been rejected.

3 . As per the prosecution case , informant namely, Kamli devi alleged that on 21.02.2024 , all the F.I.R. named



accused persons including this appellant and 4 to 5 unknown persons came at door of informant and kidnapped her husband Rishi Ram and thereafter, collectively assaulted him as a result of which he sustained 7 injuries out of which one injury is grievous in nature .

4. It is submitted on behalf of appellant that allegation of assault is general and omnibus against this appellant. No specific overt act is attributed against him. There is no allegation that this appellant abused informant by caste name and as such, no offence under SC / ST Act is made out. Appellant claims clean antecedent.

5 . Learned special public prosecutor for the State as well as learned counsel for the respondent No. 2 opposed the 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 1st Additional Sessions Judge cum Special Judge Siwan in connection with SC / ST



Police Station Case No. 23 of 2024 .

(Prabhat Kumar Singh, J)

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