

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3009 of 2024

Arising Out of PS. Case No.-120 Year-2016 Thana- ATRI District- Gaya

Rahul Kumar @ Rahul Singh Son of Ramashray Sharma R/O Vill.-
Dundichak, P.S.- Atri, Dist.- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Sarswati Devi Wife of Pravesh Manjhi R/O Vill.- Sidh, P.S.- Atri, Dist.-
Gaya

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Vinod Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 18-11-2025 Despite filing *Vakalatnama*, none appears on behalf
of the respondent no. 2.

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

3. This appeal has been filed against the order dated
08.05.2024 passed by learned Exclusive Special Judge, SC/ST
Act, Gaya in ABP No. 145 of 2024 arising out of Atri P.S. Case
No. 120 of 2016 registered under Sections 341, 323, 504 of the
Indian Penal Code and Section 3(i)(x) of Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act, whereby the
prayer for anticipatory bail of appellant has been rejected.

4. As per prosecution case, dispute arose between the
parties over grazing of she-goat in which it is alleged that this
appellant abused informant by caste name and assaulted her.



5. Learned counsel for the appellant submits that both parties are co-villagers and due to petty dispute, a simple quarrel took place between them. Injury sustained by the injured is simple in nature. It is not the case of informant that alleged incident occurred within public view as such, no case under SC/ST Act is made out against the appellant. Appellant claims clean antecedent.

6. Learned Spl. Public Prosecutor for the State vehemently 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 Exclusive Special Judge, SC/ST Act, Gaya in ABP No. 145 of 2024 arising out of Atri P.S. Case No. 120 of 2016.

8. Accordingly, this criminal appeal is allowed and impugned order dated 08.05.2024 is set aside with respect to this appellant only.

(Prabhat Kumar Singh, J)

Navya/-

U		T	
---	--	---	--

