

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3105 of 2024

Arising Out of PS. Case No.-88 Year-2024 Thana- MANJHI District- Saran

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Raju Yadav S/o Manan Yadav R/o Village Bigha, P.S. Manjhi, District Saran

... .. Appellant/s

Versus

1. The State of Bihar
2. Ravindra Kumar Ram S/o Bhola Ram R/o vill - Bigha, P.S. - Manjhi, Distt. - Saran

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Javed Aslam, Advocate
For the State	:	Mr. Binay Krishna, Spl.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 29-07-2025 Heard Mr. Javed Aslam, learned counsel for the appellant and Mr. Binay Krishna, learned Special Public Prosecutor for the State.

2. Learned Spl.P.P. for the State has informed this Court that he has informed respondent no. 2 through the Superintendent of Police, Chapra about the present case and he has received the notice on 19.07.2025. Despite of that, no one appears on behalf of respondent no. 2.

3. This is an appeal under Sections 14(A)(2) against refusal of the prayer for anticipatory bail by order dated 11.06.2024 passed in A.B.P. No. 1909 of 2024 by the learned Court of SC/ST Exclusive Special Judge, Saran, Chapra in connection with Manjhi P.S. Case No. 88 of 2024, F.I.R. dated



25.03.2024 registered under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code and Sections 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes Act.

4. According to the prosecution case, the petitioner along with other co-accused persons is said to have abused the informant using his caste name and also assaulted him and others.

5. Learned counsel for the appellant submits that appellant has clean antecedent and he has falsely been implicated in the present case. He further submits that from a bare perusal of the FIR, it appears that the present occurrence is alleged to have been taken place in the house of the informant, hence, provision of SC/ST Act shall not be attracted against the appellant in the present case. Although, there is specific allegation against the appellant that he has inflicted knife blow upon the informant and informant has received injury but injury report of the informant suggests that injury is found to be simple in nature. The allegation of assaulting Sunil Kumar and Arun Sharma is also there against the appellant but injury reports of the aforesaid persons suggest that injuries are simple in nature.

6. Learned Special Public Prosecutor for the State has vehemently opposed the prayer for bail of the appellant and



submits that the appellant is named in the F.I.R.

7. After hearing the parties, in my view for the purpose of this anticipatory bail, no offence under the provisions of Scheduled Castes and Scheduled Tribes Act is made out.

8. Considering the facts and circumstances of the case, the appellant has clean antecedent, the present occurrence is alleged to have been taken place in the house of the informant, hence, provision of SC/ST Act shall not be attracted against the appellant in the present case and injury inflicted upon the injured persons are simple in nature, let the appellant, above named, in the event of his arrest to surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two surities of the like amount each to the satisfaction of learned Court of SC/ST Exclusive Special Judge, Saran, Chapra in connection with Manjhi P.S. Case No. 88 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita, 2023 and with other following conditions:-

i. Appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court



and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the appellant tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the appellant and in case at any stage it is found that the appellant has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the appellants. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

9. Accordingly, the impugned order is set aside and this appeal stands allowed.

(Rajesh Kumar Verma, J)

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