

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3245 of 2024

Arising Out of PS. Case No.-122 Year-2024 Thana- BAKHTIYARPUR District- Patna

1. Lallu Sao @ Lauu Prasad @ Lallu Prasad @ Lallu Saw S/o- Kedar Sao @ Kedar Saw R/o- Near Police Station ke Purab Hakikatpur Ps- Bakhtiyarpur Dist- Patna
2. Avinash Kumar @ Avinash Arya @ Avinash Kumar Arya son of Lallu Sao @ Lauu Prasad @ Lallu Prasad @ Lallu Saw R/o- Near Police Station ke Purab Hakikatpur Ps- Bakhtiyarpur Dist- Patna
3. Amit Kumar son of Lallu Sao @ Lauu Prasad @ Lallu Prasad @ Lallu Saw R/o- Near Police Station ke Purab Hakikatpur Ps- Bakhtiyarpur Dist- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Dharmendra Kumar son of Rajaram Paswan @ Raghuvir Paswan Village- Nayatola Madhopur Ps- Bakhtiyarpur Dist- Patna

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Arun, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl. Public Prosecutor
For the Informant	:	Ms. Kumari Pallavi, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 19-11-2025 Heard learned counsel for the appellants, respondent no. 2 and the State.

2. This appeal has been filed against the order dated 27.05.2024 passed by learned Exclusive Special Judge, SC/ST Act, Civil Court (Sadar), Patna in ABP No. 1264 of 2024 arising out of Bakhtiyarpur P.S. Case No. 122 of 2024 registered under Sections 341, 323, 504/34 of the Indian Penal Code and Section 3(1)(r)(s)(w) 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 on 06.03.203 at about 1:30 PM, when informant went at the scrap shop of these appellants to purchase old pipe, these appellants misbehaved with him when he tried to negotiate the price and abused informant by caste name.

4. Learned counsel for the appellants submits that appellants are innocent and have committed no offence. Present case is counter blast of Bakhtiyarpur P. S. Case No. 121 of 2024 which was filed by appellant no. 2 against informant and others and is earlier in point of time. Appellants have falsely been implicated in this case in retaliation to the aforesaid case. Insult was not caused only on the ground that informant belongs to SC/ST category, as such, no case under SC/ST Act is made out against the appellants. Appellants claim clean antecedent.

5. Learned Spl. Public Prosecutor for the State as well as learned counsel for the respondent no. 2 vehemently opposed the bail application.

6. Considering the aforesaid facts, 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 learned Exclusive Special Judge, SC/ST Act, Civil Court (Sadar), Patna in connection with Bakhtiyarpur P.S. Case No. 122 of 2024.

7. Accordingly, this criminal appeal is allowed and impugned order dated 27.05.2024 is set aside with respect to these appellants only.

(Prabhat Kumar Singh, J)

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