

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3226 of 2024

Arising Out of PS. Case No.-216 Year-2024 Thana- ARA NAGAR District- Bhojpur

Raka Yadav SON OF VIRENDRA KUMAR YADAV @ BIRENDRA
YADAV VILLAGE- BHALUIPUR, PS- ARA TOWN, DIST- BHOJPUR AT
ARA

... .. Appellant/s

Versus

- 1 . The State of Bihar
- 2. Hari Paswan SON OF LATE CHANDRAHANS PASWAN VILLAGE-
MIRACHAK, PS- ARA TOWN, DIST- BHOJPUR AT ARA

... .. Respondent/s

with
CRIMINAL APPEAL (SJ) No. 3196 of 2024

Arising Out of PS. Case No.-216 Year-2024 Thana- ARA NAGAR District- Bhojpur

Niraj Yadav Son of Ashok Kumar @ Ashok Yadav R/O- VILLAGE-
BHALUIPUR, P.S.- ARA TOWN, DISTT.- BHOJPUR AT ARA

... .. Appellant/s

Versus

- 1 . The State of Bihar
- 2. Hari Paswan Son of Late Chandrahans Paswan R/O- MIRACHAK, P.S.-
TOWN, DISTT.- BHOJPUR AT ARA

... .. Respondent/s

Appearance :

(In CRIMINAL APPEAL (SJ) No. 3226 of 2024)

For the Appellant/s : Mr. Shashank Shekhar, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl. PP

(In CRIMINAL APPEAL (SJ) No. 3196 of 2024)

For the Appellant/s : Mr. Shashank Shekhar , Advocate



For the Respondent/s : Mr. Sadanand Paswan, Spl. PP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 12-12-2025

Re:- CRIMINAL APPEAL (SJ) No.3226 of 2024

Heard learned counsel for the parties. Despite valid service of notice , nobody appears on behalf of respondent No. 2.

2. This appeal has been filed for setting aside order dated 27.06.2024 , passed in a case registered for the offence punishable under sections 341, 323, 307, 504, 506, 34 of Indian Penal Code and under section 3 (1)(r), 3 (1)(s), 3 (2) of SC/ST Act whereby the prayer for anticipatory bail of the appellant has been rejected.

3 . As per the prosecution case, one Hari Paswan alleged that on 27.03.2024, all the accused persons including this appellant in intoxicated condition came at the house of informant and started abusing him by caste name and also assaulted informant and others.

4. It is submitted on behalf of appellant that as per F.I.R. this appellant is only alleged to be present on the place of occurrence along with other co-accused persons and no specific overt act has been alleged against him. Insult was not caused solely on the basis of caste , as such, no case under SC/ST Act is



made out. Appellant claims clean antecedent.

5 . Learned Public Prosecutor for the State opposed the prayer for bail.

6. Considering the aforesaid facts of the case , this appeal is allowed only with respect to petitioner 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 Ist Additional Session Judge Cum Special Judge Schedule Caste / Schedule Tribe (Prevention Of Atrocities Act 1989) Bhojpur At Ara In Connection With Ara Town PS case No. 216 of 2024 .

Re:- CRIMINAL APPEAL (SJ) No. 3196 of 2024

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learned Ist Additional Session Judge Cum Special Judge
Schedule Caste / Schedule Tribe (Prevention Of Atrocities Act
1989) Bhojpur At Ara In Connection With Ara Town PS case
_No. 216 of 2024 .

(Prabhat Kumar Singh, J)

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