

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3286 of 2024

Arising Out of PS. Case No.-179 Year-2024 Thana- MUFFASIL District- Aurangabad

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1. Bharat Yadav @ Sanjeet Kumar son of Ram Das Yadav Village- Badribigha Ps- Aurangabad Mufasil Dist- Aurangabad
 2. Ranjit Yadav son of Ram Das Yadav Village- Badribigha Ps- Aurangabad Mufasil Dist- Aurangabad
 3. Punit Yadav son of Ram Das yadav Village- Badribigha Ps- Aurangabad Mufasil Dist- Aurangabad
 4. Rahul Kumar son of Ranjeet Yadav Village- Badribigha Ps- Aurangabad Mufasil Dist- Aurangabad
 5. Ram Das Yadav son of Late Birju Yadav Village- Badribigha Ps- Aurangabad Mufasil Dist- Aurangabad

... .. Appellant/s

Versus

1. The State of Bihar
2. Arti Devi wife of Dipak Kumar Village Po- Pipra Dist- Palamu Jharkhand

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Shailesh Kumar Singh, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl. Public Prosecutor
For R.No. 2	:	Mr. Santosh Chandra Bhaskar, Ms. Dimpal Kumari, Advocates

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 20.06.2024 passed by learned Special Judge (SC/ST)-cum-1st Additional District & Sessions Judge, Aurangabad in ABP No. 1235 of 2024 arising out of Aurangabad Mufasil P.S. Case No. 179 of 2024 registered under Sections 341, 323, 504, 420/34 of the Indian Penal Code and Sections 3(i)(r)(3), 3(2)(va) 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 informant purchased the land from appellant no. 5 *vide* registered sale deed no. 8222, thereafter, mutation was also done of the same land but when informant went for *Bhumi Poojan* in order to construct the house, all the F.I.R. named accused persons including these appellants assaulted her and abused by caste name.

4. Learned counsel for the appellants submits that appellants are innocent and have committed no offence. Appellants have falsely been implicated in this case due to land dispute between the parties. Allegation of assault is general and omnibus. There is no specific allegation of any overt act against these appellants. Insult was not solely caused because informant belongs to SC/ST category and as such, no case under SC/ST Act is made out against these 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 and circumstances of the case, 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 Special Judge (SC/ST)-cum-1st Additional District & Sessions Judge, Aurangabad in ABP No. 1235 of 2024 arising out of Aurangabad Mufasil P.S. Case No. 179 of 2024.

7. Accordingly, this criminal appeal is allowed and impugned order dated 20.06.2024 is set aside with respect to these appellants only.

(Prabhat Kumar Singh, J)

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