

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3375 of 2024**

Arising Out of PS. Case No.-8 Year-2024 Thana- NAVINAGAR District- Aurangabad

1. Pawan Kumar son of Yogendra Yadav Village- Karma Ps- Navinagar Dist- Aurangabad
2. Ravindra Yadav son of Jageshwar Yadav Village- Karma Ps- Navinagar Dist- Aurangabad

... .. Appellant/s

Versus

1. The State of Bihar
2. Guddu Kumar S/o Late Manoj Paswan

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ranjit Kumar, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-04-2025 Despite valid service of notice, none appears on behalf of the respondent No. 2.

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

3. This appeal has been filed against the order dated 29.06.2024 passed by learned Special Judge (SC/ST)-cum-1st Additional District and Sessions Judge, Aurangabad (Bihar) in connection with A.B.P. No. 1314 of 2024 arising out of Navinagar P.S. Case No. 08 of 2024, registered under Sections 341, 323, 379, 504/34 of the Indian Penal Code and Section 3(1)(r), 3(1)(s), 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for



anticipatory bail of appellants has been rejected.

4. As per F.I.R., it is alleged that all the F.I.R. named accused persons including these appellants abused informant by caste name and assaulted informant and her family members with fists and slaps.

5. Learned counsel for the appellants submits that appellants are innocent and have committed no offence. Present case is counter blast of Nabinagar P. S. Case No. 09/2024 which was lodged by mother of appellant no. 1 against informant and her family members on 7/1/2024 in which mother and other family members of appellant No. 1 sustained injuries. Allegation of assault is general and omnibus and there is no specific allegation of overt act against the appellants. Moreover, it is not the case of informant that alleged incident occurred within public view, as such, no offence under SC/ST Act is made out against the appellants. Appellants claim clean antecedent.

6. Learned Spl. Public Prosecutor for the State vehemently opposed the bail application.

7. Considering the nature of accusation and clean antecedent, 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 and Sessions Judge, Aurangabad (Bihar) in connection with Navinagar P.S. Case No. 08 of 2024.

8. Accordingly, this criminal appeal is allowed and impugned order dated 29.06.2024 is set aside with respect to these appellants only.

(Prabhat Kumar Singh, J)

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