

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3494 of 2024

Arising Out of PS. Case No.-154 Year-2024 Thana- BARBIGHA District- Sheikhpura

1. Parwati Devi Wife Of Vanti Ram Resident Of Village - Mallikchak, P.S. - Barbigha, District - Sheikhpura
2. Chandan Ram @ Chandan Kumar Son Of Dina Ram Resident Of Village - Mallikchak, P.S. - Barbigha, District - Sheikhpura
3. Rita Devi Wife Of Rajesh Ram Resident Of Village - Mallikchak, P.S. - Barbigha, District - Sheikhpura
4. Sandip Ram Son Of Ram Vilas Ram Resident Of Village - Mallikchak, P.S. - Barbigha, District - Sheikhpura
5. Dina Ram Son Of Late Janki Ram Resident Of Village - Mallikchak, P.S. - Barbigha, District - Sheikhpura
6. Mantu Ram Son Of Ramdev Ram Resident Of Village - Mallikchak, P.S. - Barbigha, District - Sheikhpura
7. Rajesh Ram Son Of Late Janki Ram Resident Of Village - Mallikchak, P.S. - Barbigha, District - Sheikhpura
8. Golu Ram @ Ajit Ram @ Gopal Ram Son Of Madhin Ram Resident Of Village - Mallikchak, P.S. - Barbigha, District - Sheikhpura
9. Manti Devi Wife Of Raj Ram Resident Of Village - Mallikchak, P.S. - Barbigha, District - Sheikhpura
10. Ramvilas Ram Son Of Narsingh Ram Resident Of Village - Mallikchak, P.S. - Barbigha, District - Sheikhpura
11. Kistu Ram Son Of Rajesh Ram Resident Of Village - Mallikchak, P.S. - Barbigha, District - Sheikhpura

... .. Appellant/s

Versus

1. The State of Bihar
2. Sunita Kumari Wife Of Suresh Kumar Resident Of Village - Mallikchak, P.S. - Barbigha, District - Sheikhpura

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Sheo Nandan Prasad, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl. P.P. Mr. Roop Kishan, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER



4 31-01-2025 Heard learned counsel for the appellants, learned Spl. Public Prosecutor appearing on behalf of the State and learned counsel for the Respondent No. 2.

2. This appeal has been filed against the order dated 04.07.2024 passed by learned Additional District and Sessions Judge-cum-Special Judge, SC/ST (POA) Act, Sheikhpura, in connection with A.B.P. No. 372 of 2024 arising out of Barbigha P.S. Case No. 154 of 2024, registered under Sections 441, 341, 354-A, 504, 34 of the Indian Penal Code and Sections 3(1)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellants has been rejected.

3. The prosecution case, in brief, is that on 01.06.2024, daughter of informant had left her home for Barbigha to do the KYP course and when she reached near the house of Giddu Miyan, all the FIR named accused persons including these appellants caught hold of her hand and abused her by caste name. When informant went to the house of accused persons to make complain, then all the accused persons abused her by caste name.

4. Learned counsel for the appellants submits that



appellants are innocent and have falsely been implicated in the present case. As a matter of fact, on the alleged date and time of occurrence, a quarrel took place between the children of the both families and taking advantage of the situation, this false and concocted case has been lodged. Allegation is general and omnibus. No specific allegation has been alleged against the appellants. It is not the case of informant, that any member of public was present at the place of occurrence, as such, no offence under SC/ST Act is made out. Appellants claim clean antecedent.

5. Learned Spl. Public Prosecutor for the State and learned counsel for the respondent no. 2 oppose 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 Additional District and Sessions Judge-cum-Special Judge, SC/ST (POA) Act, Sheikhpura, in connection with A.B.P. No. 372 of 2024 arising out of Barbigha P.S. Case No. 154 of 2024.



7. Accordingly, the impugned order dated 04.07.2024
is set aside and this criminal appeal is allowed.

(Prabhat Kumar Singh, J)

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