

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4434 of 2021

Arising Out of PS. Case No.-35 Year-2021 Thana- SC/ST District- East Champaran

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Mukesh Ram S/o Mosaffir Ram R/o Village- Tejpurwa, P.S.- Malahi, Dist-
East Champaran.

... .. Appellant/s

Versus

1. The State of Bihar
2. Ravindra Thakur S/o Buchani Thakuar R/o Tejpurwa, P.S.- Malahi, Dist-
East Champaran.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Dhannjay Kumar No 2, Advocate

For the Respondent/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 21-01-2025 Heard learned counsel for the appellant and learned
Special P.P. for the State.

2. The present appeal has been filed against order/judgment dated 20.09.21 passed by 1st A.D.J. Cum special Judge SC/ST/East Champaran Motihari by which the respondent no. 2 has been granted regular bail in connection with SC/ST P.S. Case no 35/2021 under Sections 342, 323, 379 504, 506/34 of the Indian Penal Code and under Sections 3[i] [r] [s] of the SC/ST Act.

3. The case of the prosecution in brief is that on 12.08.2021 at 08:30 PM, when the informant Mukesh Ram along with his neighbour Umesh Ram had gone to purchase



medicines from the Sonwal market, the accused persons Sanjeev Kumar Thakur and accused Ravindra Thakur along with five unknown persons approached and surrounded the informant near the shop of one Lakshman Shah and hurled caste based abuse on the informant and his neighbour for not casting vote in favour of a candidate and threatened to kill the informant and his neighbour. When the informant objected against the caste-based abuse, the accused Sanjeev Kumar Thakur assaulted the informant with an iron rod. It is alleged that when the neighbour of the informant tried to save the informant, then he was also assaulted with fists and leg which resulted in injuries on his face and eyes. It is alleged that the accused persons then continued to abuse and then left the informant and his neighbour at about 300 meters away. It is stated that the incident was witnessed by several persons present in the market. It is lastly alleged that the accused Sanjeev Kumar Thakur also stole Rs. 2800/- from the pocket of the informant. Thereafter the informant states that his family members were informed about the incident who then took the injured informant and his neighbour for medical treatment in Areraj thereupon they were referred to Sadar Hospital, Motihari. The informant has stated that the accused persons have also threatened to kill the informant.



4. I have gone through the impugned order and the F.I.R. From the reading of the F.I.R., it appears that the basis dispute between the parties is with regard to election and the allegation under the SC/ST Act has been added by the informant to make the case serious and non-bailable. Bail was granted in the year 2021 and now we are in the year 2025. There is no allegation against the accused persons that during the intervening period, they have acted illegally.

5. In these circumstances, I do not find a fit case for interference.

6. Accordingly, this application stands dismissed.

7. The Court below will proceed with the trial. The Court below shall not be influenced by any observation made in this order as the same are only for the purposes of disposal of this application.

(Sandeep Kumar, J)

P. Kumar

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