

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3602 of 2024

Arising Out of PS. Case No.-124 Year-2024 Thana- DIDARGANJ District- Patna

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1. Ajeet Singh @ Ajeet Kumar Son Of Sri Sushil Singh Resident Of Village - Baratpur, P.S. - Didarganj, District - Patna
 2. Vijay Singh Son Of Sri Vanarshi Singh Resident Of Village - Baratpur, P.S. - Didarganj, District - Patna
 3. Adarsh Amrit Raj @ Adarsh Kumar Son Of Sri Vanarshi Singh Resident Of Village - Baratpur, P.S. - Didarganj, District - Patna

... .. Appellant/s

Versus

1. The State Of Bihar
2. Tara Devi Wife Of Sri Bhola Chaudhary Resident Of Village - Baratpur, P.S. - Didarganj, District - Patna

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Vijay Kumar Sinha, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl. Public Prosecutor
For the R.No. 2	:	Mr. Ranjay Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 15-02-2025 Heard learned counsel for the parties.

2. This appeal has been filed against the order dated 02.07.2024 passed by learned Exclusive Special Judge, SC/ST Act, Patna in connection with A.B.P. No. 2398 of 2024 arising out of Didarganj P.S. Case No. 124 of 2024, registered under Sections 341, 323, 325, 354, 379, 504, 506/34 of the Indian Penal Code and Section 3(i)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellants has been rejected.

3. As per prosecution case, on 28.03.2024 at about 6



AM, while informant was in the house with her family members, all the F.I.R. named accused persons including these appellants came there and started abusing son of informant's sister and upon objection, the accused persons assaulted informant and her family members by means of *lathi, danda*. It is further alleged that co-accused persons snatched gold chain from the neck of family members of the informant and threatened them to leave the village.

4. Learned counsel for the appellants submits that due to admitted land dispute between the parties, scuffle took place in which there is case and counter case. Allegation of assault is general and omnibus. Specific accusation of abuse by caste name is against co-accused Mayanand Singh. So far these appellants are concerned, there is no allegation of abuse by caste name. It is further submitted that F.I.R. does not disclose that occurrence was witnessed by any independent witness as such, no offence under SC/ST Act is made out.

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, 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 Exclusive Special Judge, SC/ST Act, Patna in connection with Didarganj P.S. Case No. 124 of 2024.

7. Accordingly, this criminal appeal is allowed and impugned order dated 02.07.2024 is set aside with respect to these appellants only.

(Prabhat Kumar Singh, J)

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