

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4452 of 2024

Arising Out of PS. Case No.-180 Year-2024 Thana- PAKARIBARAW District- Nawada

1. Dinesh Chaurasiya Son of Sant Chaurasiya Resident of Village- Dola, P.S.- Pakaribarawan, District- Nawada
2. Jairam Chaurasiya @ Jairam Prasad Chaurasiya Son of Late Lakhan Chaurasiya Resident of Village- Dola, P.S.- Pakaribarawan, District- Nawada
3. Naresh Chaurasiya Son of Rajendra Chaurasiya @ Raju Chaurasiya Resident of Village- Dola, P.S.- Pakaribarawan, District- Nawada
4. Pankaj Chaurasiya @ Pankaj Kumar Son of Pappu Chaurasiya Resident of Village- Dola, P.S.- Pakaribarawan, District- Nawada

... .. Appellant/s

Versus

1. The State of Bihar
2. Arjun Paswan Late haro Paswan Vill- Dola, P.S. Pakaribaraw, Distt- Nawada

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Rabindra Kumar, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl. P.P.
		Mr. Uma Shankar Singh, 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 27.05.2024 passed by learned Special Judge, SC/ST (POA) Act, Nawada, in connection with A.B.P. No. 1342 of 2024 arising out of Pakaribarawan P.S. Case No. 180 of 2024, registered under Sections 147, 149, 504, 307, 427, 354-B, 379 of the Indian Penal Code and Sections 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, all the FIR named accused persons including these appellants assaulted and abused informant by caste name. It is further alleged that appellants no. 2 and 3 confined the female family members of informant in the boring room of Satish Chaurasia who were released only after intervention of police party.

4. Learned counsel for the appellants submits that appellants are innocent and have falsely been implicated in the present case. It is further submitted that as per FIR, though there is direct and substantive allegation against appellants no. 1 and 4 that they assaulted informant but injury allegedly caused by these appellants are simple in nature. As a matter of fact, on the alleged date and time of occurrence, kothi of betel of the petitioners was burnt as a result, an altercation took place between the parties. Case and counter case. Both sides have sustained injuries. 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 Special Judge, SC/ST (POA) Act, Nawada, in connection with A.B.P. No. 1342 of 2024 arising out of Pakaribarawan P.S. Case No. 180 of 2024.

7. Accordingly, the impugned order dated 27.05.2024 is set aside and this criminal appeal is allowed.

(Prabhat Kumar Singh, J)

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