

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4410 of 2024

Arising Out of PS. Case No.-254 Year-2023 Thana- PANAPUR District- Saran

Dhrup Patel @ Nagendra Prasad Son of Ramjanm Prasad Village - Baluar,
PS- Panapur, Dist- Saran at Chapra

... .. Appellant/s

Versus

1. The State of Bihar
2. Suganti Devi Wife of Dhup Nath Ram Resident of Village - Bellaur, P.S.-
Panapur, Dist- Saran at Chapra

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Vijay Kumar, Adv.
For the Respondent/s	:	Mr. Sadanand Paswan, Spl.P.P. Mr. Rajesh Kumar, Adv.for Resp.No.2

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4. 18-04-2025 Heard learned counsel for the appellant, learned
Special P.P. for the State and learned counsel for Respondent no.
2.

2. This criminal appeal has been filed against the order dated 29.08.2024 passed by learned Exclusive Special Judge,SC/ST, Saran at Chapra in connection with Panapur P.S. Case No. 254 of 2023, registered under Sections 341, 323, 324, 325, 504, 506/34 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (for short “SC/ST Act”), whereby the prayer for anticipatory bail of appellant has been rejected.

3. As per prosecution case, on the alleged date and



time of occurrence, all the F.I.R. named accused persons, including this appellant, were keeping concrete on the land of informant and when he protested, all the accused persons abused him by caste name and assaulted him.

4. Learned counsel for the appellant submits that appellant is innocent and has committed no offence. There is admitted land dispute between the parties, due to which, this false and concocted has been lodged against appellant and others. Allegation of assault is general and omnibus. Injury, allegedly caused by this appellant, is simple in nature. F.I.R. is silent about who, member of the public, was present when the incident occurred, as such, no offence under SC/ST Act is made out against appellant. Co-accused Vinod Patel @ Vinod Kumar, having similar and identical allegation, has already been granted anticipatory bail by this Court, *vide* order dated 05.09.2024 passed in Cr.Appeal (SJ) No. 209 of 2024 (Annexure – 2). Appellant claims clean antecedent.

5. Learned Spl. Public Prosecutor for the State and learned counsel for the respondent no. 2 vehemently opposed the appeal.

6. Considering the aforesaid facts and circumstances, the impugned order dated 29.08.2024 is, hereby, set aside and



this appeal is allowed.

7. Accordingly, let the appellant, as named above, in the event of his arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST, Saran at Chapra in connection with Panapur P.S. Case No. 254 of 2023.

(Prabhat Kumar Singh, J)

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