

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4496 of 2024

Arising Out of PS. Case No.-234 Year-2024 Thana- TEKARI District- Gaya

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1. Sujan Kumar Son of Shambhu Singh Resident of Village-Raniganj, P.S.- Tekari, Distt.- Gaya
 2. Suraj Kumar Son of Shambhu Singh Resident of Village-Raniganj, P.S.- Tekari, Distt.- Gaya
 3. Rahul Kumar Son of Santosh Singh Resident of Village-Raniganj, P.S.- Tekari, Distt.- Gaya

... .. Appellant/s

Versus

1. The State of Bihar.
2. Vinod Das Son of Lalmohan Das Resident of Village-Raniganj, Ward No. 6, P.S.- Tekari, Distt.- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Vinod Kumar, Advocate
For the Respondent/s : Ms. Usha Kumari 1, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 15-05-2025 Despite filing of vakalatnama, no one appears on behalf of the respondent No. 2.

2. Heard learned counsel for the appellants and the learned Special Public Prosecutor for the State.

3. This criminal appeal has been filed against the order dated 21.08.2024 passed by learned Special Judge, SC/ST Act, Gaya in ABP No. 261 of 2024 in connection with Tekari P.S. Case No. 234 of 2024, instituted under Sections 341, 323, 325, 307, 354, 379, 504, 506 and 34 of the Indian Penal Code and Sections 3(2)(v) of the Scheduled Castes and Scheduled



Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellant has been rejected.

4. Prosecution case, in brief, is that on 19.05.2024 all the FIR named accused persons assaulted the informant and his family members and also abused him by caste name.

5. Learned counsel for the appellants submits that appellants are innocent and have committed no offence. He further submits that the present case is the counter blast of Tekari (OP) P.S. Case No. 235 of 2024 lodged by the appellants' side against the informant's side and the present case has been lodged, only to save skin from that case. The allegation of abuse and assault is general and omnibus. It is not the case of informant that alleged incident occurred within the public view, as such, no offence under SC/ST Act is made out against appellants. Appellants claim clean antecedent.

6. Learned Spl. Public Prosecutor for the State opposed the bail application.

7. 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 Act, Gaya in connection with
Tekari P.S. Case No. 234 of 2024.

8. Accordingly, this criminal appeal is allowed and
impugned order dated 21.08.2024 is set aside with respect to this
appellant only.

(Prabhat Kumar Singh, J)

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