

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4508 of 2024

Arising Out of PS. Case No.-148 Year-2023 Thana- GAURICHAK District- Patna

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1. Suraj Kewat @ Suraj Kumar Son of Kalu Kewat Resident of Lahladpur, P.S. - Gaurichak, District - Patna
 2. Malo Devi @ Mano Devi Wife of Kalu Kewat Resident of Lahladpur, P.S. - Gaurichak, District - Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Karu Paswan Son of Late Balam Paswan Resident of Lahladpur, P.S. - Gaurichak, District - Patna

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Dipak Kumar, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 24-11-2025 Heard learned counsel for the appellants and the State.

2. This appeal has been filed against the orders dated 29.07.2024 and 20.08.2024 passed by learned Exclusive Special Judge, Patna in ABP No. 3006 of 2024 arising out of Gaurichak P.S. Case No. 148 of 2023 registered under Sections 147, 341, 323, 324, 379, 338, 337, 504, 506/34 of the Indian Penal Code and Section 3(1)(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 F.I.R., these appellants armed with weapons came at the house of informant and assaulted informant and his son. It is further alleged that the accused persons also snatched Rs. 200/- from the pocket of informant.

4. Learned counsel for the appellants submits that dispute over pathway led to an occurrence of *maar-peet* in which both sides sustained injuries. Case and counter case. There is no allegation of abuse by caste name as such, no case under SC/ST Act is made out against the appellants. Appellants claim clean antecedent.

5. Learned Spl. Public Prosecutor for the State 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 learned Exclusive Special Judge, Patna in ABP No. 3006 of 2024 arising out of Gaurichak P.S. Case No. 148 of 2023.

7. Accordingly, this criminal appeal is allowed and impugned order dated 29.07.2024 is set aside with respect to



these appellants only.

(Prabhat Kumar Singh, J)

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