

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4835 of 2024

Arising Out of PS. Case No.-327 Year-2024 Thana- MANER District- Patna

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- 1 . Deomunni Rai @ Deo Muni Ray S/O Laldeo Rai @ Laldeo Ray Resident of village- Mahinawa, P.S - Maner, District- Patna.
 2. Mukendar Kumar @ Mukendra S/O Deomunni Rai @ Deo Muni Ray Resident of village- Mahinawa, P.S - Maner, District- Patna.

... .. Appellant/s

Versus

- 1 . The State of Bihar
2. Suresh Ram S/O Late Ramanand Ram R/O Village- Mahinawa, P.S- Maner, Distt.- Patna.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Jitendra Kumar , Advocate
For the Respondent/s : Mr. Binay Krishna , Spl. PP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 11-09-2025 Heard learned counsel for the parties. Despite valid service of notice , nobody appears on behalf of respondent No. 2

2. This appeal has been filed for setting aside order dated 03.11.2023 passed in a case registered for the offence punishable under sections 341 , 323 , 307, 379, 504, 506 and 34 of IPC and sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes Act, whereby the prayer for anticipatory bail of the appellant has been rejected.

3 . As per F.I.R. informant namely, Suresh Ram alleged that on 21.5.2024 at about 10:00 O' Clock , when he



was sleeping, in the meantime , all the F.I.R. named accused persons including these appellants came at the door of informant, abused informant and his son by caste name and upon protest, accused persons assaulted informant and his son due to which they sustained injuries. It is further alleged that co-accused Mukendar Kumar looted several household articles and cash of Rs. 4200/- from house of informant and thereafter, all the accused persons fled away from the spot.

4. It is submitted on behalf of these appellants that both the parties are co-villagers and due to previous enmity , maarpeet took place between them in which both sides sustained injuries. Case and counter case . It is not the case of informant that any member of public was present at the time of incident, as such no case under SC/ST Act is made out against these appellants.

5 . Learned special Public Prosecutor for the State opposed the prayer for bail.

6. Considering the aforesaid facts, this appeal is allowed and the impugned order is set aside. Let the appellants, named above, in the event of arrest/surrender within a period of eight weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs.



10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive special Judge SC / ST Civil Court (Sadar), Patna in connection with Maner Police Station Case No. 327 of 2024 .

(Prabhat Kumar Singh, J)

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