

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4780 of 2024

Arising Out of PS. Case No.-373 Year-2023 Thana- RAXAUL District- East Champaran

Santosh Kumar Giri @ Santosh Giri Son of Late Birkeshwar Giri Resident of
Village- Tumariya Tola, Ward No. 2, P.S.- Raxaul, District- East Champaran

... .. Appellant/s

Versus

- 1 . The State of Bihar
2. Manoj Ram Son of Late Jamuna Ram Resident of Village- Sahadeva, P.S.-
Raxaul, District- East Champaran

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Devi Das Srivastava, Advocate

For the Respondent/s : Mr. Binay Krishna, Spl. PP

For informant : Mr. Ravi Nandan, Advocate

Mr. Ashwini Kumar Upadhyay, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-12-2025 Heard learned counsel for the parties.

2. This appeal has been filed for setting aside order dated 12.09.2024 passed in a case registered for the offence punishable under sections 341 , 323 , 504 and 506 of the Indian Penal Code and sections 3 3(i)(r)(s)/ 3(2) (va) 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. all the named accused persons abused the informant and his family members and assaulted



them and also threatened with dire consequences.

4. It is submitted on behalf of the appellant that appellant is not named in the F.I.R. The name of the appellant transpired during course of investigation and he has got no concern with the alleged occurrence . Allegation is general and omnibus against this appellant. There is no allegation of abuse against this appellant and as such, no case under SC/ST Act is made out. Appellants claim clean antecedent. Moreover, F.I.R. named accused persons have already been granted bail vide order 09.05.2024 in Cr. APP (SJ) No. 4577 of 2023 .

5 . Learned counsel for the respondent No. 2 as well as learned special Public Prosecutor for the State .

6. Considering the aforesaid facts, this appeal is allowed with respect to this appellants only 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 Special Judge, SC/St Act, East Champaran, Motihari in connection with Raxaul Police



Station Case No. 373 of 2023 .

(Prabhat Kumar Singh, J)

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