

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4915 of 2024

Arising Out of PS. Case No.-326 Year-2024 Thana- MANER District- Patna

1. Deomunni Rai @ Deo Muni Ray Son of Laldeo Rai @ Laldeo Ray @ Laldeo Ram Resident of Village - Mahinawa, P.S. - Maner, District - Patna
2. Mukendar Kumar Son of Deomunni Rai @ Deo Muni Ray Resident of Village - Mahinawa, P.S. - Maner, District - Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Pratima Kumari @ Pratima Devi Wife of Dilip Ram Resident of Village - Mahinawa, P.S. - Maner, District - 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

4 12-11-2025 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 24.07.2024 passed in a case registered for the offence punishable under sections 341 , 323 , 354 (B), 379 and 34 of IPC and 3(1)(r) (s) Schedule Caste and Schedule Tribes Act, whereby the prayer for anticipatory bail of the appellant has been rejected.

3 . As per the prosecution case, the informant, namely, Pratima Kumari alleged that on 21.05.2024 , all the F.I.R.



named accused persons including these appellants came at the door of informant and abused her by caste name and assaulted by iron rod and also tried to outrage her modesty . It is further alleged that accused persons also snatched her ornaments.

4. It is submitted on behalf of these appellants that both the parties are co-villagers and due to petty dispute , a simple occurrence of maarpeet took place between them in which both sides sustained injuries. Case and counter case . F.I.R. was lodged after delay of 4 days for which there is no explanation . It is further submitted that insult was not caused on the basis of caste and as such, no offence under SC / ST Act is made out.

5 . Learned special Public Prosecutor for the State opposed the 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 Act, Civil Court (Sadar) Patna in



connection with Maner Police Station Case No. 326 of 2024 .

(Prabhat Kumar Singh, J)

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