

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4794 of 2024

Arising Out of PS. Case No.-244 Year-2024 Thana- DIDARGANJ District- Patna

Prince Yadav S/o Rajendra Yadav @ Rajendra Singh R/o Village- Madhopur,
P.S- Didarganj, Distt.- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Simanti Devi W/o Kapil Paswan R/o Village- Madhopur, P.S- Didarganj,
District- Patna

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Parmeshwar Vishwakarma, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 19-11-2025 Despite filing *Vakalatnama*, none appears on behalf of
the respondent no. 2.

2. Heard learned counsel appearing on behalf of
appellant and Spl. Public Prosecutor.

3. This criminal appeal has been filed against the
order dated 12.09.2024 passed by learned Exclusive Special
Judge SC/ST Act, Civil Court (Sadar), Patna in connection with
ABP No. 3624 of 2024 arising out of Didarganj P.S. Case No.
244 of 2024, registered under Sections 126(2), 115(2), 125, 76,
79, 303(2), 352, 3(5) of the Bharatiya Nyaya Sanhita and
Section 3(1)(r)(s)w(ii), 3(2)(va) of the Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act, whereby the
prayer for anticipatory bail of appellant has been rejected.

4. As per F.I.R., on 11.07.2024 at about 8 PM, when



informant went to fetch water from the hand pump, in the meantime, all the F.I.R. named accused persons, including this appellant, assaulted her, tore her blouse and abused her by caste name. When son of the informant came to rescue her, he was also assaulted by the accused persons. It is further alleged that the accused persons also snatched gold earrings of the informant.

5. Learned counsel for the appellant submits that appellant is innocent and has committed no offence. Allegation of assault is general and omnibus. Appellant did not have any hatred on the basis of caste, as such, no offence under SC/ST Act is made out against the appellant. Appellant claims clean antecedent.

6. However, learned Spl. Public Prosecutor appearing for the State vehemently opposes the prayer for bail application.

7. Considering the nature of accusation, I do not find any ground to interfere with the order of the learned court below and as such, the appeal, which has been filed for grant of anticipatory bail, is hereby rejected.

(Prabhat Kumar Singh, J)

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