

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.20 of 2024

Arising Out of PS. Case No.-292 Year-2020 Thana- KHIJARSARAI District- Gaya

Chanarik Yadav @ Chandrika Yadav @ Chanirak Yadav S/O- Panchu Yadav
R/O- Village- Akauni, P.O- Naudiha, P.S.- Khizarsarai, Dist.- Gaya

... .. Appellant/S

Versus

1. The State Of Bihar Bihar, Patna
2. Munarik Paswan S/O- Raghunandan Paswan R/O- Village- Akauni, P.O.-
Naudiha, P.S.- Khizarsarai, Dist.- Gaya

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 10-07-2025 Heard learned counsel for the parties. Despite
valid serviced of notice , nobody appears on behalf of
respondent No. 2.

2. This appeal has been filed for setting aside order
dated 08.11.2023 passed in a case registered for the offence
punishable under sections 341, 323, 379, 504, 506, 385 and
other allied sections of the Indian Penal Code and sections 3(i)
(r)(s) (5) of the Scheduled Castes and Scheduled Tribes Act,
whereby the prayer for anticipatory bail of the appellant has
been rejected.

3 . As per the prosecution case , informant claims that
all the accused persons forcibly took possession of land of
informant having khatat No. 81 , plot No. 228 , total area of 7



decimal in village Akaum. It is further alleged that accused persons always used to assault informant and prior to this case , proceeding u /s 107 Cr. P C was also drawn up against accused persons.

4. It is submitted that appellant is innocent and has committed no offence as alleged. It is further submitted that both appellants and informant are co-villagers and their land is situated side by side . Dispute over boundary of land led to minor scuffle between them. There is no allegation that this appellant abused informant by caste name and as such no case under SC / ST Act is made out against him. Appellant claims clean antecedent.

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

6. Considering the aforesaid facts, this appeal is allowed and the impugned order is set aside. Let the appellant, 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) with two sureties of the like amount each to the satisfaction of the learned Exclusive special Judge SC / ST special Court Gaya in connection with Khizarsarai



Police Station Case No. 292 of 2020.

(Prabhat Kumar Singh, J)

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