

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.86 of 2024

Arising Out of PS. Case No.-1439 Year-2018 Thana- BIHTA District- Patna

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UDIYA SINGH @ ADITYA RAJ SON OF JITENDRA SINGH @
JITENDRA KUMAR SINGH R/O VILLAGE- MUSEPUR, P.S.- BIHTA,
DIST.- PATNA

... .. Appellant/s

Versus

- 1 . THE STATE OF BIHAR Patna
2. PERMESHWAR RAM SON OF SURESH RAM R/O VILLAGE-
MUSEPUR, P.S.- BIHTA, DIST.- PATNA

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Kamlesh Kumar , Advocate
or the Respondent/s : Mrs. Usha Kumari 1, Spl. PP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 10-07-2025 Heard learned counsel for the parties. Nobody
appears on behalf of respondent No. 2.

2. This appeal has been filed for setting aside order dated 04.12.2023 passed in a case registered for the offence punishable under sections 341 , 323 , 448 , 504, 506 and 34 of the Indian Penal Code and sections 3(i) (r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act) Act, whereby the prayer for anticipatory bail of



the appellant has been rejected.

3 . As per the prosecution case , on the alleged date and time of occurrence , this appellant along with other co-accused persons armed variously came at the house of informant and abused informant by caste name and also assaulted informant and others due to which informant and his family members sustained injuries.

4. It is submitted that this appellant is innocent and have committed no offence as alleged. Allegation of assault is general and omnibus against him. There is no injury report on record to substantiate the allegation of assault. 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. Appellant claims clean antecedent.

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 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, Patna in connection with Bihta Police Station Case No.
1439 of 2018 .

(Prabhat Kumar Singh, J)

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