

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.326 of 2024

Arising Out of PS. Case No.-1064 Year-2023 Thana- GAYA MUFASIL District- Gaya

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1. RAUSHAN KUMAR @ RAUSHAN SINGH SON OF ARJUN SINGH R/O VILLAGE- BHADEJA, P.S.- MUFFASIL, DIST.- GAYA
 2. RAM KISHUN SINGH SON OF GOPAL SINGH R/O VILLAGE- BHADEJA, P.S.- MUFFASIL, DIST.- GAYA

... .. Appellant/s

Versus

1. THE STATE OF BIHAR PATNA
2. KANCHAN DEVI WIFE OF RAMCHANDRA PASWAN R/O VILLAGE- BHADEJA, P.S.- MUFFASIL, DIST.- GAYA

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Vinod Kumar , Advocate
For the Respondent/s	:	Mrs. Usha Kumari 1, APP
For respondent No. 2	:	Mr. Bindeswari Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 31-07-2025 Heard learned counsel for the parties.

2. This appeal has been filed for setting aside order dated 05.12.2023 passed in a case registered for the offence punishable under sections 504, 506 and 34 and other allied sections of the Indian Penal Code and sections 3(i)(r)(s) 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 namely Kanchan devi alleged that on 14.10.2023 , when she went to the house of accused persons to enquire about her husband, then all the accused persons including these appellants misbehaved with



her and abused by caste name and also threatened with dire consequences.

4. It is submitted that these appellants are innocent and have committed no offence as alleged. As a matter of fact, appellant's side lodged one Muffasil PS Case No. 1061 of 2023 dated 14.10.2023 against the husband of informant and others and in order to save their skin from the aforesaid case, this present case was lodged. Allegation is general and omnibus against these appellants and no specific overt act has been alleged against him. It is not the case of the informant that any member of public was present at the time of incident and as such, no case under SC/ST Act is made out. Appellants claim clean antecedent.

5 . Learned counsel for the respondent No. 2 as well as 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 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 spl. Judge SC /
ST spl. Court Gaya in connection with Muffasil Police Station
Case No. 1064 of 2023 .

(Prabhat Kumar Singh, J)

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