

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1781 of 2024**

Arising Out of PS. Case No.-2 Year-2024 Thana- SC/ST District- Buxar

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Pankaj Kumar Singh @ Pankaj Kumar Son of Ramgrihi Singh Resident of
Village- Narbatpur, P.S.- Buxar Muffasil, District- Buxar

... .. Appellant/s

Versus

1. The State of Bihar
2. Rina Devi @ Rina Kumari W/o Govind Ram Resident of Village- Narbatpur,
P.S.- Buxar Muffasil, Dist.- Buxar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Ravi Shankar Pathak, Advocate
For the Respondent/s : Mr. Sadanand Paswan, SPP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4 29-01-2026 Heard learned counsel for the appellant, learned

Special P.P. for of the State and learned counsel appearing on

behalf of respondent no. 2.

2. This appeal has been filed against the order dated
22.03.2024 passed by learned ADJ 61st cum Special Judge,
SC/ST Act, Buxar, in connection with SC/ST P.S. Case No. 02
of 2024, registered under Sections 341, 323, 504, 506, 354/34 of
the Indian Penal Code, and Sections 3(1)(r)(s), 3(2)(va) of
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act (for short “SC/ST Act”), whereby the prayer for
anticipatory bail of appellant has been rejected.

3. As per prosecution case, on the alleged date and time



of occurrence, the appellant entered into the house of the informant and tried to outrage her modesty. It is further alleged that at about 11.00 pm, all the named accused persons came to the house of the informant and abused her taking caste name.

4. Learned counsel for the appellant submits that appellants are co-villager and has been falsely implicated in this case to save her skin from the case lodged by appellant. The present case is a counter blast of Buxar Muffasil P.S. Case No. 54 of 2024 which was lodged prior to the present case against the husband of the informant. From perusal of F.I.R., there is no allegation of taking caste name against the appellant. Hence, no case of SC/ST Act is made out. Appellant claims clean antecedent.

5. Learned Spl. Public Prosecutor for the State and learned counsel for the respondent no. 2 vehemently opposed the appeal.

6. However, considering the aforesaid facts and circumstances and clean antecedent, the impugned order dated 22.03.2024 is, hereby, set aside and this criminal appeal is allowed.

7. Let the appellant, as named above, be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



learned ADJ 1st cum Special Judge, SC/ST Act, Buxar, in
connection with SC/ST P.S. Case No. 02 of 2024.

(Prabhat Kumar Singh, J)

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