

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1443 of 2024

Arising Out of PS. Case No.-282 Year-2023 Thana- BENIPATTI District- Madhubani

Anil Ram S/O Sri Sundeshwar Ram R/O Village- Sohraul, P.S- Benipatti,
Distt.- Madhubani

... .. Appellant/s

Versus

1. The State of Bihar
2. Mishri Lal Ram S/O Late Ramlakhan Ram R/O Village- Sohraul, P.S- Benipatti, Distt.- Madhubani.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ajay Thakur, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. Public Prosecutor
For the R.No. 2	:	Mr. Rananjay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 02-04-2026 Heard learned counsel for the appellant, respondent
no. 2 and the State.

2. This appeal has been filed against the order dated 12.02.2024 passed by learned 1st Additional Sessions Judge-cum-Special Judge, Madhubani in ABP No. 232 of 2024 arising out of Benipatti P.S. Case No. 282 of 2023 registered under Sections 341, 323, 324, 325, 307, 504, 506/34 of the Indian Penal Code and Section 3(1)(r)(s), 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellant has been rejected.

3. As per prosecution case, on 06.12.2023 at about 9 PM, when informant was taking night walk on the road, in the



meantime, on account of previous dispute, all the F.I.R. named accused persons, including this appellant, surrounded and assaulted him by means of *lathi*, *danda*, rod, sword, etc. and they also abused him by caste name.

4. Learned counsel for the appellant submits that allegation of assault is general and omnibus and there is no allegation of any specific overt act against the appellant. Appellant himself belongs to SC/ST category and as such, no case under SC/ST Act is made out against him.

5. Learned Spl. Public Prosecutor for the State as well as learned counsel for the respondent no. 2 vehemently opposed the bail application.

6. Considering the nature of accusation, let the appellant, as named above, in the event of his arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, Madhubani in ABP No. 232 of 2024 arising out of Benipatti P.S. Case No. 282 of 2023.

7. Accordingly, this criminal appeal is allowed and impugned order dated 12.02.2024 is set aside with respect to



this appellant only.

(Prabhat Kumar Singh, J)

Navya/-

U		T	
---	--	---	--

