

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3610 of 2024

Arising Out of PS. Case No.-770 Year-2023 Thana- BARACHATTI District- Gaya

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1. Bhawan Yadav @ Bhawan Kumar Yadav son of Sahdev Yadav Resident of Village- Jaigir, P.S. Barachatti, District- Gaya
 2. Guddu Sao @ Om Prakash Keshri son of Mahendra Prasad Keshari @ Mahendra Keshri Resident of Village- Jaigir, P.S. Barachatti, District- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Shri Manjhi son of Late Chothi Manjhi Village- Jaigir Ps- Barachatti Dist- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Gajendra Kumar Singh, Advocate
For the Respondent/s	:	Ms. Usha Kumari 1, Spl. Public Prosecutor Mr. Rajnish Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 15-01-2026 Heard learned counsel for the appellants, respondent no. 2 and the State.

2. This appeal has been filed against the order dated 25.05.2024 passed by learned Exclusive Special Judge, SC/ST, Gaya in ABP No. 168 of 2024 arising out of Barachatti P.S. Case No. 770 of 2023 registered under Sections 341, 323, 354B, 504, 506, 34 of the Indian Penal Code and Section 3(1)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellants has been rejected.

3. As per F.I.R., on 8.08.2023, these appellants along



with other co-accused persons trespassed into the house of informant, verbally abused him using casteist slurs, assaulted him and disrobed his wife.

4. Learned counsel for the appellants submits that both parties are next-door neighbours and due to petty dispute, this false and concocted case has been lodged against appellants and others. Allegation of assault is general and omnibus. It is further submitted that alleged incident occurred inside the house of informant and not within public view and as such, no case under SC/ST Act is made out against the appellants. Appellants claim clean antecedent.

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 and clean antecedent, let the appellants, as named above, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST, Gaya in ABP No. 168 of 2024 arising out of Barachatti P.S. Case No. 770 of 2023.



7. Accordingly, this criminal appeal is allowed and impugned order dated 25.05.2024 is set aside with respect to these appellants only.

(Prabhat Kumar Singh, J)

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