

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4517 of 2024

Arising Out of PS. Case No.-156 Year-2024 Thana- CHANDAUTI District- Gaya

Vikash Kumar @ Vikash Yadav Son of Late Mukhiya Yadav Resident of
Village -Dhani Bigha, PS- Chandauti, District- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Arvind Kumar Son of Late Jagdish Paswan R/O- Village- Jamune, P.S.-
Chandauti, Distt.- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Vinod Kumar, Advocate

For the Respondent/s : Ms. Usha Kumari 1, Spl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 12-03-2026 Despite filing *Vakalatnama*, none appears on behalf
of the respondent no. 2.

2. Heard learned counsel for the appellant and the
State.

3. This appeal has been filed against the order dated
05.08.2024 passed by learned Special Judge, SC/ST, Gaya in
ABP No. 241 of 2024 arising out of Chandauti P.S. Case No.
156 of 2024 registered under Sections 341, 323, 353, 504,
506/34 of the Indian Penal Code and Sections 3(1)(r)(s), 3(2)
(va) of Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, whereby the prayer for anticipatory bail of
appellant has been rejected.



4. As per F.I.R., 17 named accused persons, including this appellant and 10-15 unknown miscreants attacked informant by means of lathi, danda and iron rod as a result of which he sustained injuries. It is further alleged that the accused persons also damaged vehicles and abused informant by caste name.

5. Learned counsel for the appellant submits that appellant is innocent and has committed no offence. Allegation of assault is general and omnibus and there is no allegation of any specific overt act against the appellant. It is not the case of informant the alleged incident occurred within public view and as such, no case under SC/ST Act is made out against appellant. Appellant claims clean antecedent.

6. Learned Spl. Public Prosecutor for the State vehemently opposed the bail application.

7. Considering the aforesaid facts, 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 Special Judge, SC/ST, Gaya in ABP No. 241 of 2024 arising out of Chandauti P.S. Case No. 156 of 2024.



8. Accordingly, this criminal appeal is allowed and impugned order dated 05.08.2024 is set aside with respect to this appellant only.

(Prabhat Kumar Singh, J)

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