

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4754 of 2024

Arising Out of PS. Case No.-85 Year-2024 Thana- MARANCHI District- Patna

1.

Murari Kumar S/O Jagdish Sao alias Jagdish Saw R/O Village Rajesh Nagar, P.S. - Maranchi, District - Patna.
2.

Dewan Mahto @ Devendra Mahto @ Munna Miya S/O Late Suresh Mahto R/O Village Rajesh Nagar, P.S. - Maranchi, District - Patna.

... .. Appellant/s

Versus

1.

The State of Bihar
2.

Jaggu Tati S/O Vijay Tati R/O Village Naurangi Ward No - 01 P.S. - Pachmahala, District - Patna.

... .. Respondent/s

Appearance :

For the Appellant/s

:

Mr. Javed Aslam, Advocate

For the Respondent/s

:

Ms. Usha Kumari 1, Spl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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02-04-2026

Despite filing *Vakalatnama*, none appears on behalf of the respondent no. 2.

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

3. This appeal has been filed against the order dated 03.09.2024 passed by learned Exclusive Special Judge, SC/ST Act, Civil Court (Sadar), Patna in connection with Maranchi P.S. Case No. 85 of 2024 registered under Sections 341, 342, 323, 504, 506, 307/34 of the Indian Penal Code, Section 27 of the Arms Act 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 appellants has been rejected.

4. As per prosecution case, on 23.06.2024, when informant was returning from the brick kiln, all the F.I.R. named accused persons stopped his tractor and started abusing him by caste name and assaulted him. It is further alleged that the accused persons also snatched gold chain from the neck of one Abhimanyu Singh.

5. Learned counsel for the appellants submits that appellants are innocent and have falsely been implicated in this case. As a matter of fact, on the alleged date, a trolley overturned on NH 80 due to which, the road was blocked and altercation took place between the parties for parking the tractor. Allegation against appellants is general and omnibus. There is no injury report on record to substantiate the allegation. Rest of the allegations are ornamental only to make the case grave. It is not the case of informant that any member of public was present at the alleged place of incident and as such, no case under SC/ST Act is made out against the appellants.

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

7. Considering the nature of accusation and other facts



and circumstances of the case, 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 Act, Civil Court (Sadar), Patna in connection with Maranchi P.S. Case No. 85 of 2024.

8. Accordingly, this criminal appeal is allowed and impugned order dated 03.09.2024 is set aside with respect to these appellants only.

(Prabhat Kumar Singh, J)

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