

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.197 of 2025

Arising Out of PS. Case No.-599 Year-2024 Thana- BARH District- Patna

Vivek Kumar Son of Sanjay Ray Resident of Village - Bhatgaon, Ward No. 14, P.S. - Barh, District - Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Sanni Kumar Son of Jai Kumar Paswan @ Jay Kumar Resident of Village - Bhatgaon, P.S. - Barh, District - Patna

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Anil Kumar Singh, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 20-11-2025 Despite valid service of notice, 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 26.11.2024 passed by learned Exclusive Special Court, SC/ST, Patna in ABP No. 3847 of 2024 arising out of Barh P.S. Case No. 599 of 2024 registered under Sections 127(1), 115(2) of the Bharatiya Nyaya Sanhita and Section 3(1)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellant has been rejected.

4. As per prosecution case, all the F.I.R. named accused persons, including this appellant, assaulted informant



with bricks and rod.

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 specific allegation of any overt act against him. There is no allegation of abuse by caste name, as such, no case under SC/ST Act is made out against the appellant.

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 Exclusive Special Court, SC/ST, Patna in ABP No. 3847 of 2024 arising out of Barh P.S. Case No. 599 of 2024.

8. Accordingly, this criminal appeal is allowed and impugned order dated 26.11.2024 is set aside with respect to this appellant only.

(Prabhat Kumar Singh, J)

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