

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.201 of 2025**

Arising Out of PS. Case No.-382 Year-2024 Thana- PARSABAZAR District- Patna

Sintu Kumar @ Chhotu Kumar Son of Dinesh Singh @ Dinesh Kumar Singh  
Resident of Mohalla - Suitha, Police Station - Parsabazar, District- Patna,  
present address Village - Lodipur, P.S. - Punpun, District - Patna

... .. Appellant/s

Versus

- 1. The State of Bihar Bihar
- 2. Arvind Paswan Son of Yogendra Paswan Resident of Village - Suitha, P.S. - Parsa Bazar, District - Patna

... .. Respondent/s

**Appearance :**

|                      |   |                                                                                    |
|----------------------|---|------------------------------------------------------------------------------------|
| For the Appellant/s  | : | Mr.Pramod Kumar, Adv.                                                              |
| For the Respondent/s | : | Mr. Raj Bansh Dubey, Adv.<br>Mr. Satish Kumar Sinha, Adv.<br>Ms. Moni Kumari, Adv. |
| For the State        | : | Mr.Sadanand Paswan, Spl.PP                                                         |

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH**

ORAL ORDER

3      10-04-2025                      Heard learned counsel for the appellant, learned counsel for the respondent no. 2 and learned Spl. P.P. for the State.

2. This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the rejection of prayer of bail of the appellant vide order dated 19.11.2024 passed by the learned Exclusive Special Judge, SC/ST, Civil Court (Sadar), Patna in connection with Spl. Case No. 448/2024, Serial No. 329/2024 arising out of Parsa Bazar P.S. Case No. 382 of 2024 dated



08.08.2024 registered for the alleged offences punishable under Sections 126, 109, 352, 351 and 61(2) of the Bhartiya Nyay Sanhita, Section 27 of the Arms Act and Sections 3(2), 3(2)(v), 3(2)(va) of the Scheduled Castes and Scheduled Tribes Act.

3. As per prosecution case, on 08.08.2024, when the informant was standing near Bajrang Bali Temple then the appellant came there and started abusing. On being objected by the informant, the appellant threatened him and went from there. It is further alleged that after one hour, the appellant armed with pistol along with the co-accused persons came to the house of the informant and the appellant fired from his pistol on the informant which hit his right shoulder causing injury. Thereafter, the accused persons fled away from the place of occurrence.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in this case. It is further submitted that no member of public was present at the relevant point of time of the incident and hence, no offence under provisions of SC/ST Act is made out against the appellant. Learned counsel has further submitted that the charge-sheet has been submitted against the appellant. The appellant is in custody since 10.08.2024. The appellant has



clean antecedent as stated in para 3 of the bail petition.

5. Learned Special Public Prosecutor for the State as well as learned counsel for the respondent no. 2 have opposed the prayer for bail of the appellant and submitted that the specific allegation of firing is against the appellant due to which he sustained gunshot injury on shoulder and as per the injury report of the injured Arvind Paswan, the injury is grievous in nature.

6. In view of the aforesaid facts and circumstances of the case as well as finding substance in the contention of the learned counsel for the appellant, the impugned order dated 19.11.2024 passed by the learned Exclusive Special Judge, SC/ST, Civil Court (Sadar), Patna in connection with Spl. Case No. 448/2024, Serial No. 329/2024 arising out of Parsa Bazar P.S. Case No. 382 of 2024, is set aside against the appellant. The criminal appeal is allowed.

7. Accordingly, the above named appellant, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, SC/ST, Civil Court (Sadar), Patna in connection with Spl. Case No. 448/2024, Serial No. 329/2024 arising out of Parsa Bazar



P.S. Case No. 382 of 2024 with the condition :-

*(i) The appellant is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.*

*(ii) The appellant is directed to cooperate in the trial before the learned court below.*

**(Chandra Prakash Singh, J)**

Gautam/-

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