

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.210 of 2025

Arising Out of PS. Case No.-311 Year-2024 Thana- SIKANDRA District- Jamui

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Digvijay Singh @ Digbrij Singh @ Digvijay Kumar @ Digvij Singh Son of
Surendra Singh Village- Kumar, PS -Sikandra, Distt- Jamui

... .. Appellant/s

Versus

1. The State of Bihar
2. Sintu Kumar Son of Pyare Paswan Village- Valda, Ps- Lachhuar, Dist- Jamui

... .. Respondent/s

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Appearance :

For the Appellant/s : Ms. Khushi Awadh, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl. Public Prosecutor

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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
09.12.2024 passed by learned Additional Sessions Judge-I,
Jamui in ABA No. 2053 of 2024 arising out of Sikandra P.S.
Case No. 311 of 2024 registered under Sections 126(2), 115(2),
308(2), 352, 351(2), 3, 3(5) of the Bharatiya Nyaya Sanhita and
Section 3(1)(r)(s), 3(2)(v) 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, on 06.10.2024 at about



9:30 AM, when informant along with one Diwakar Kumar was filling petrol in vehicles on the petrol pump, this appellant along with other accused persons came there and started demanding extortion money and when informant refused to give the same, the accused persons abused them by caste name and assaulted by means of fists and slippers.

5. Learned counsel for the appellant submits that both parties are co-villagers and due to political rivalry, this false and concocted case has been lodged against the appellant. As a matter of fact, appellant does not own any vehicle and hence there is no occasion for appellant to visit the petrol pump in question. Allegation of assault is general and omnibus and there is no specific allegation of any overt act against him. Insult was not caused solely on the basis that informant belongs to SC/ST category and as such, no case under SC/ST Act is made out against the 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 Additional Sessions Judge-I, Jamui in connection with Sikandra P.S. Case No. 311 of 2024.

8. Accordingly, this criminal appeal is allowed and impugned order dated 09.12.2024 is set aside with respect to this appellant only.

(Prabhat Kumar Singh, J)

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