

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.426 of 2025

Arising Out of PS. Case No.-53 Year-2024 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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Ankit Kumar, Son of Chunchun Singh Resident of Village - Sadikpur, P.S. -
Shekhopur Sarai, District - Sheikhpura

... .. Appellant/s

Versus

1. The State of Bihar
2. Tetri Devi Wife of Arbind Paswan Resident of Village - Kanhauli, P.S. - Jay
Rampur, District- Sheikhpura

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Neeraj Kumar- Advocate

For the Respondent/s : Ms. Usha Kumari 1- Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 28-02-2025 1. Heard learned counsel for the appellant and the
learned Special Public Prosecutor for the State.

2. The appellant has challenged the order dated
04.01.2025 passed by the learned District and Additional
Sessions Judge 1st-cum- Special Judge of SC/ST Act,
Sheikhpura in connection with B. P. No.1409 of 2024
arising out of Shekopur Sarai P. S. Case No.53 of 2024,
instituted for the offences under Sections 341, 323, 324,
307, 354(B), 504, 506/ 34 of the Indian Penal Code and
Section 3(1)(r)(s)(w)/3(2)(v) of the Scheduled Castes &
Scheduled Tribes (Prevention of Atrocities) Act, whereby



his prayer for grant of bail has been rejected.

3. The learned counsel appearing on behalf of the appellant submits that appellant is a person with clean antecedent and the informant alleges that she had come to her parental home and on 20.04.2024, had gone to see Chaiti Durga Puja along with her family members, when at 1.00 A.M., the accused persons including the appellant came in a drunken condition and started acting inappropriately with her. On protest, the accused persons forcefully started dragging her towards the field. On alarm, her nephew Raja came to save her when he was assaulted by knife by the accused persons causing 4-5 injuries on head, even assaulted the informant and when villagers started gathering, the accused fled and the injured were taken to P.H.C. for treatment.

4. The learned counsel appearing on behalf of the appellant submits that from perusal of the allegation as alleged in the FIR, it would manifest that the allegation of assault is general and omnibus in nature i.e. there is no specific allegation of assault against the appellant. It is further submitted that appellant is a young boy aged about



22 years and is in custody since 13.12.2024 and charge-sheet has been submitted, as such, no useful purpose would be served by keeping the appellant behind bars. It is also submitted that similarly situated co-accused Manish Kumar @ Mani Kumar along with two others had approached this Court seeking regular bail by filing Cr. Appeal (S.J.) No.5593 of 2024 and the same was allowed by an order dated 14.02.2025.

5. The learned Special P. P. opposes the bail application.

6. Regard being had to the aforesaid submissions, the order dated 04.01.2025 is set-aside.

7. The appeal stands allowed.

8. Considering the submissions and also taking into account the order dated 14.02.2025, the appellant, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge 1st-cum- Special Judge of SC/ST Act, Sheikhpura in connection with B. P. No.1409 of 2024 arising out of



Shekopur Sarai P. S. Case No.53 of 2024.

9. However, in the event, if the learned trial Court comes to a conclusion that the appellant after his release is trying to delay the trial in any manner, the learned trial Court shall forthwith cancel his bail bonds after recording reasons and shall take all coercive steps to ensure that appellant is behind bar.

(Satyavrat Verma, J)

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