

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.395 of 2025

Arising Out of PS. Case No.-228 Year-2024 Thana- NAYAGAON District- Saran

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1. Jatahi Devi W/O Devlal Pandit Resident of Village- Shekhdumari, Police Station- Nayagaon, District- Saran.
 2. Golu Kumar S/O Dharmendra Pandit Resident of Village- Shekhdumari, Police Station- Nayagaon, District- Saran.
 3. Arjun Kumar S/O Late Ravindra Pandit Resident of Village- Shekhdumari, Police Station- Nayagaon, District- Saran.
 4. Kanhai Pandit @ Kanhai Kumar Pandit @ Kanhaiya Kumar Pandit S/O Dev Lal Pandit Resident of Village- Shekhdumari, Police Station- Nayagaon, District- Saran.
 5. Manoj Pandit @ Manoj Kumar Pandit @ Manoj Kumar S/O Raj Kumar Pandit Resident of Village- Shekhdumari, Police Station- Nayagaon, District- Saran.

... .. Appellant/s

Versus

1. The State of Bihar
2. Suganti Devi W/O Sri Umesh Ram R/O Village- Shekhdumari, P.S- Nayagaon, Distt.- Saran.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Ms. Mili Kumari, Advocate
For the State	:	Mrs. Usha Kumari 1, Spl. P.P.
For the Informant	:	Mr. Shakti Suman Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 13-11-2025 Heard learned counsel for the appellants, learned Special Public Prosecutor for the State and learned counsel for the informant.

2. This appeal has been preferred against the order dated 20.12.2024, passed by the learned S.C./S.T. Exclusive Special Judge, Chapra, Saran, in connection with A.B.P. No. 4282 of 2024 arising out of Nayagaon P.S. Case No. 228 of



2024, registered for the offences under Sections 126(2), 115(2), 303(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 3(1)(r)(s) of the S.C./S.T. (Prevention of Atrocities) Act, by which the prayer for anticipatory bail of the appellants was rejected.

3. As per the prosecution case, the appellants are said to have assaulted the victim and abused him by taking his caste name.

4. Learned counsel for the appellants submits that the dispute arose out of a trivial matter and that the parties had a minor fight. It is contended that the allegations levelled under the provisions of the S.C./S.T. (Prevention of Atrocities) Act are false and no offence under the said Act is made out against the appellants.

5. Learned counsel for the State as well as for the informant have vehemently opposed the prayer for anticipatory bail.

6. From a perusal of the F.I.R., it appears that this is a case of simple assault etc., and it does not appear that the alleged occurrence was committed against the informant on the ground that she belongs to the S.C./S.T. community.

7. Considering the rival submissions of the parties and



upon perusal of the record, this appeal is allowed, and accordingly, the order dated 20.12.2024, passed by the learned S.C./S.T. Exclusive Special Judge, Chapra, Saran, in connection with A.B.P. No. 4282 of 2024, arising out of Nayagaon P.S. Case No. 228 of 2024, is set aside.

8. In these circumstances, this application for grant of anticipatory bail is held to be maintainable.

9. Let the appellants, in the event of their arrest or surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.C./S.T. Exclusive Special Judge, Chapra, Saran / concerned Court below, in connection with A.B.P. No. 4282 of 2024 arising out of Nayagaon P.S. Case No. 228 of 2024, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita (B.N.S.S.).

(Sandeep Kumar, J)

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