

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.497 of 2025**

Arising Out of PS. Case No.-334 Year-2024 Thana- HALSI District- Lakhisarai

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1. Dilip Sao S/O Late Ram Charan Sao R/O Village- Mahsoni, P.S- Halsi, Dist- Lakhisarai
  2. Rakesh Sao @ Rakesh Kumar S/O Dilip Sao R/O Village- Mahsoni, P.S- Halsi, Dist- Lakhisarai

... .. Appellant/s

Versus

1. The State of Bihar
2. Harkit Manjhi S/O Madan Manjhi R/O Village- Mahsoni, P.S- Halsi, Dist- Lakhisarai

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Rabi Bhushan  
For the Respondent/s : Mr. Usha Kumari 1

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      17-03-2025                      1. Heard learned counsel for the appellants and learned Additional Public Prosecutor for the State.

2. An order, dated 07.01.2025, passed by learned Additional District and Sessions Judge-1-cum-Special Judge SC/ST, Lakhisarai, in ABP No. 1251 of 2024, is under challenge in the present appeal preferred under Section 14-A (2) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, 1989, whereby the anticipatory bail application of the appellants in connection with Halsi Police Station Case No. 334 of 2024 registered for the offence punishable under Sections 115(2), 126(2), 351(2), 352, 74, 109, 3(5) of the BNS, 2023 and



Section 3 (i)(r), 3(i)(s), 3(2)(va) of the Schedule Caste/Schedule Tribe (Prevention of Atrocities) Act, has been rejected.

3. As per the FIR, on 31.10.2024, the appellants along with other accused persons assaulted the informant's father by means of iron rod and khanti on his head and also assaulted the informant's mother and molested her.

4. Learned counsel for the appellants submits that both the parties are co-villagers and there was previous enmity between them. There is no allegation against the appellants of calling by caste name of the informant and his family members. Relying on the impugned order, learned counsel submits that the injury referred therein shows that the same is not grievous in nature.

5. On the other hand, learned counsel for the respondent no. 2 submits that both the parties are co-villagers and they have amicably settled their dispute.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that there is no allegation of calling the informant and his family members by caste name and further the injury caused to the victim appears to be simple in nature, I am inclined to grant the appellants privilege of anticipatory bail.



7. This appeal is, accordingly, allowed and the order, dated 07.01.2025, passed by learned Additional District and Sessions Judge-1-cum-Special Judge SC/ST, Lakhisarai, in ABP No. 1251 of 2024, is set aside.

8. Let the appellants, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-1-cum-Special Judge SC/ST, Lakhisarai, in connection with Halsi Police Station Case No. 334 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

**(Anil Kumar Sinha, J)**

HarshPandey/-

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