

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.861 of 2024

Arising Out of PS. Case No.-60 Year-2023 Thana- SC/ST District- East Champaran

Satrudhan Singh Son of Ramugraha Singh Resident of Village- Patkhauliya,
P.S.- Chiraiya, District- East Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Ramsewak Ram Son of Late Lagan Ram Resident of village- Simra, P.S.-
Chiraiya, District- East Champaran

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ajay Kumar Singh, Advocate
For the State : Mr. Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 05-08-2025 Heard Mr. Ajay Kumar Singh, learned counsel for the

appellant as well as Mr. Binay Krishna, learned Spl.P.P. for the

State.

2. Despite valid service of notice, no one appears on
behalf of respondent No. 2.

3. This is an appeal under Sections 14(A)(2) against
refusal of the prayer for anticipatory bail by order dated
04.01.2024 passed by the learned Special Judge SC/ST (POA)
Act, East Champaran at Motihari in connection with Motihari
SC/ST P.S. Case No. 60 of 2023 (ABP No. 6032 of 2023), F.I.R.
dated 27.10.2023 registered under Sections 341, 323, 324, 427,
379, 504, 506, 34 of the Indian Penal Code and Sections 3(i) (r)



(s)/3(2)(va) of the Scheduled Castes and Scheduled Tribes Act.

4. According to the prosecution case, appellant is alleged to have abused the informant by using his caste name and assaulted him with knife.

5. Learned counsel for the appellant submits that appellant has clean antecedent. Appellant is innocent and has falsely been implicated in the present case. As per the FIR, appellant has given knife blow to the informant. Although informant has received the injury but injury report of the informant suggests that injury is simple in nature. Apart from that, allegation against the appellant and other co-accused persons is that they also abused the informant by using caste name. It appear from the FIR that specific allegation against the appellant is general and omnibus.

6. Learned Special Public Prosecutor for the State has vehemently opposed the prayer for bail of the appellant and submits that the occurrence took place in public view and there is specific allegation against the appellant and other co-accused persons that they have abused the informant in public view.

7. After hearing the parties, for the purpose of anticipatory bail, in my view for the purpose of this anticipatory bail, no offence under the provisions of Scheduled Castes and



Scheduled Tribes Act is made out.

8. Hence, let the appellant, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two surities of the like amount each to the satisfaction of learned Special Judge SC/ST Act, East Champaran at Motihari in connection with Motihari SC/ST P.S. Case No. 60 of 2023 (ABP No. 6032 of 2023), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita, 2023 and with other following conditions:-

i. Appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the appellant tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the appellant and in case at



any stage it is found that the appellant has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the appellant. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

9. Accordingly, the impugned order is set aside and this appeal stands allowed.

(Rajesh Kumar Verma, J)

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