

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.604 of 2025

Arising Out of PS. Case No.-242 Year-2024 Thana- BARHARA District- Bhojpur

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BABLOO SINGH @ RAJNISH KUMAR SINGH S/O- TARKESHWAR
SINGH @ SAROJ SINGH Village- Bkhorapur Ps- Barhara Dist- Arah P/A-
Village Po- Majharia Ps- Churamanpur Dist- Buxar

... .. Appellant/s

Versus

1. The State of Bihar
2. Rameshwar Paswan S/o- Late Harishankar Paswan Village- Bkhorapur Ps-
Barahara Dist- Arah

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Brij Bihari Tiwary
For the Respondent/s	:	Mr.Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 01-09-2025 1. Heard learned counsel for the appellant and learned
Spl. P.P. for the State, Shri Sadanand Paswan.

2. This is an appeal under Section 14-A(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST
Act”) against the refusal of prayer for anticipatory bail vide
order dated 19-11-2024 in A.B.P. No. 2767 of 2024 passed by
the learned 1st Additional Sessions Judge-cum-Special Judge
S.C./S.T. (POA) Act, Bhojpur, Arrah, in connection with
Barhara P.S. Case No. 242 of 2024, registered for the offences
punishable under Sections 117(2), 126(2), 115(2), 352 of the
BNS as well as Sections 3(i),(r),(s),(va) of the SC/ST Act.



3. Learned counsel appearing on behalf of the appellant submits that from perusal of the office report dated 2-5-2025, it would manifest that notice on behalf of the respondent No. 2 has been accepted by his son.

4. Since the notice has been accepted by the son of the respondent No.2, as such the same is deemed to be validly served.

5. Learned counsel for the appellant submits that the appellant has antecedent of one case and is alleged to have assaulted the informant, while he was watering his fields, by *lathi* causing injury on head.

6. The learned counsel for the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is next submitted that though there is allegation of assaulting the informant by *lathi*, but then no injury was caused to him. It is also submitted that even the order impugned does not record about any injury. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the FIR does not even remotely suggest that the occurrence was witnessed by any witnesses, it is further submitted that the appellant was not even knowing the caste of the informant, as such it cannot be alleged that the appellant assaulted the



informant knowing that he belongs to SC category.

7. Learned Spl. P.P. for the State opposes the prayer for anticipatory bail of the appellant.

8. Considering the aforesaid facts, let the appellant above-named, in the event of his arrest or surrender before the learned trial trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with the aforesaid case, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

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

(Satyavrat Verma, J)

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