

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.719 of 2025

Arising Out of PS. Case No.-323 Year-2024 Thana- DORIGANJ District- Saran

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1. Vijay Ray @ Bijay Ray S/O Late Sudarshan Ray Resident of village- Chirand, P.S.- Doriganj, District- Saran
 2. Binod Ray @ Vinod Ray S/O Late Sudarshan Ray Resident of village- Chirand, P.S.- Doriganj, District- Saran
 3. Munna Ray @ Munna Ray @ Munna Kumar Ray S/O Late Utim Ray Resident of village- Chirand, P.S.- Doriganj, District- Saran
 4. Ranjan Ray @ Ranjan Kumar S/O Vijay Ray @ Bijay Ray Resident of village- Chirand, P.S.- Doriganj, District- Saran
 5. Lal Munna Ray @ Munna Kumar Ray S/O Vijay Ray @ Bijay Ray Resident of village- Chirand, P.S.- Doriganj, District- Saran

... .. Appellant/s

Versus

1. The State of Bihar
2. Tamardhwaj Paswan S/O Patali Manjhi Resident of village- Chirand, P.s.- Doriganj, District- Saran

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Dr. Rajesh Kumar Singh, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl P.P.
		Mr. Dheeraj Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

4 12-11-2025 Heard the learned counsel for the appellants, learned counsel for the informant as well as learned Spl. P.P. for the State.

2. The appellants have challenged the order dated 28.01.2025 passed by the learned Court of SC/ST the Exclusive Special Judge, Saran at Chapra in A.B.P. No. 4471 of 2024, arising out of Doriganj P.S. Case No. 323/2024 instituted for the offences under Sections 126(2), 115, 118(1), 117, 109, 303(2),



352, 351(2), (3), 3(5) of the B.N.S. and Sections 3(1)(r)(s) of the SC/ST Act, whereby their prayer for being released on bail, in anticipation of arrest, has been rejected.

3. As per the F.I.R., appellants along with F.I.R. named accused persons armed with weapons surrounded the informant and one Ranjan Kumar Paswan and abused them with their caste name. It is alleged that Vijay Ray assaulted Ranjan Paswan with *Dao* on his head and Munna Ray assaulted the informant with iron rod causing him injury.

4. Learned counsel for the appellants submits that appellants are innocent and have falsely been implicated in this case. A quarrel had taken place between the parties for loading of sand on their tractors as both sides have tractors for carrying and selling sand from the bank of the river. Both parties have got injuries. It is further submitted that injuries on the injured are simple in nature, except one injury which is lacerated wound over left index finger. There is case and counter case between the parties. The occurrence has not taken place in public view or at public place and the allegation of abusing by taking caste name is super-addition. Appellants have no criminal antecedents. It is further submitted that there is no likelihood of tampering the evidence or absconding the appellants.



5. Learned counsel for the informant and learned Spl. P.P. for the State oppose the anticipatory bail petition of the appellants.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the order dated 28.01.2025 is set aside.

7. The appellants, above named, are directed to be released on bail, in the event of their arrest or surrender on their furnishing bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of SC/ST Exclusive Special Judge, Saran at Chapra in connection with Doriganj P.S. Case No. 323/2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023.

8. Accordingly, the present appeal is allowed.

(Sunil Dutta Mishra, J.)

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