

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.760 of 2025**

Arising Out of PS. Case No.-60 Year-2024 Thana- MUFFASIL District- Aurangabad

Satyam Kumar Singh, age 21 years, S/O Ashok Singh R/O Village- Iwanpur,
P.S-Muffasil, District- Aurangabad.

... .. Appellant/s

Versus

1. The State of Bihar
2. Birju Ram S/O Late Shivnandan Ram R/O Village- Iwanpur, P.S- Muffasil,
Distt.- Aurangabad.

... .. Respondent/s

Appearance :

For the Appellant/s : Ms. Mukul Kumari, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. PP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 12-11-2025 Heard learned counsel for the appellant and

learned Special PP for the State.

2. That the present memo of appeal is being filed
with prayer to set aside the order dated 23.01.2025 passed
by the Special Judge (SC/ST)-cum-1st Distt. & Addl.
Sessions Judge, Aurangabad in A.B.P No. 165 of 2025
whereby the prayer for anticipatory bail of the appellant
filed in Muffasil P.S Case no. 60 of 2024 lodged for the
offence u/s 147, 148, 149, 341, 323, 354, 379, 504, 506 of



the I.P.C and sections 3(1)(r)(s), 3(2)(va) of SC/ST (POA) Act has been rejected and further to enlarge the appellant on anticipatory bail who is apprehending his arrest in the aforesaid Muffasil P.S. Case No. 60 of 2024 detail above, to the satisfaction of the learned Special Judge(SC/ST)-cum-1 Distt. & Addl. Sessions Judge, Aurangabad.

3. As per the prosecution case, it is alleged that on 17.02.2024 at about 10:00 P.M all the accused persons including the present petitioner came with *lathi* and *danda* assaulted the informant and others. It is further alleged that the petitioner and other co-accused persons were playing vulgar songs and dancing on DJ on the occasion of Saraswati Puja and when the informant and other persons objected them thereafter all the accused persons started abusing them by taking their caste name.

4. Learned counsel for the appellant submits that appellant has falsely been implicated in this case. He further submits that there is no specific allegation against the appellant for abusing by taking caste name and assaulting the informant. He further submits that no injury report has been available on record in support of allegation against the



appellant. He next submits that the specific allegation is against the co-accused person, namely, Sanjay Kumar Singh that he has snatched a mobile phone and three thousand rupees from the pocket of the informant. He next submits that appellants have got clean antecedents as stated in para-3 of the anticipatory bail petition.

5. However, learned Spl.PP for the State oppose the prayer for anticipatory bail of the appellant.

6. On perusal of the First Information Report and impugned order dated 23.01.2025, it appears that there is no specific allegation against the appellant that he has abused and assaulted the informant and he has got clean antecedent as stated in para-3 of the bail petition. So, considering the aforesaid facts and circumstances of the case and submission made by learned counsel for the appellant, let the above named appellant be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of six weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (SC/ST)-cum-1st & Additional Sessions Judge,



Aurangabad in connection with Muffasil P.S. Case No.60 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS, 2023.

7. The appeal stands allowed.

(Ramesh Chand Malviya, J)

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