

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.935 of 2025

Arising Out of PS. Case No.-261 Year-2024 Thana- MAGADH UNIVERSITY District- Gaya

1. Ranjit Kumar @ Ranjeet Kumar Son of Vijay Yadav Resident of Village- Kolkha P.S.- M.U. Bodh Gaya, District-Gaya (Bihar)
2. Sanjit Kumar @ Sanjeet @ Sanjeet Kumar Son of Vijay Yadav Resident of Village- Kolkha P.S.- M.U. Bodh Gaya, District-Gaya (Bihar)
3. Surendra Kumar Son of Vijay Yadav Resident of Village- Kolkha P.S.- M.U. Bodh Gaya, District-Gaya (Bihar)

... .. Appellant/s

Versus

1. The State of Bihar
2. Pradeep Kumar Paswan Son of Ambika Paswan Resident of Village- Kolkha P.S.- M.U. Bodh Gaya, District-Gaya (Bihar)

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Uma Kant Mishra, Advocate
For the State	:	Mr. Sadanand Paswan, Special P.P.
For the O.P. No.2	:	Mr. Sunil Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 17-12-2025 Heard Mr. Uma Kant Mishra, learned counsel for the appellants, Mr. Sunil Kumar, learned counsel for the O.P. No.2 and Mr. Sadanand Paswan, learned Special P.P. for the State.

2. The instant appeal has been preferred by the appellants under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the 'SC/ST Act'), for setting aside the order dated 04.02.2025 passed by the Court of the learned Exclusive Special Judge SC/ST, Gaya, in A.B.P. No. 22/2025 arising out of M.U. P.S. Case No. 261 of 2024, registered for the offences punishable under Sections 126(2), 352, 351(1), 115(2),



74, 303(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (in short 'BNS') and Sections 3(1)(r)(s) and 3(2)(va) of the SC/ST Act, by which the appellants' prayer for anticipatory bail has been rejected.

3. The main submissions advanced by the appellants' counsel are that there is a case and counter-case in between both the parties, there is no specific allegation against the appellants and the allegation of brutal assault on the informant by the appellants is completely false, as no external injury was found on the body of the informant despite the allegation that the informant was badly assaulted by the appellants by means of iron rods, lathis, and bricks. In this regard, the informant's injury report may be perused, and the same is sufficient to falsify the allegations levelled by the informant in the FIR.

4. Learned Special P.P. appearing for the State accepts that on the body of the informant, no external injury was found.

5. Learned counsel for the informant has vehemently opposed the prayer of the appellants and submits that there are serious allegations against the appellants, the informant was badly assaulted, and the case lodged by appellant no. 3 against the prosecution party is a counter-blast to the informant's case.

6. In the facts and circumstances of this case, and



mainly taking into account the fact that no external injury was found on the body of the informant despite the allegation that he was badly assaulted by the appellants by means of lathis, bricks, and iron rods, which completely goes against the prosecution and creates serious doubt in the allegations levelled by the informant, in my opinion, all the appellants have made out a case for anticipatory bail. Accordingly, let the appellants named-above, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge SC/ST, Gaya, in connection with M.U. P.S. Case No. 261 of 2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. In the result, the instant appeal stands allowed and the impugned order is hereby set aside.

(Shailendra Singh, J)

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