

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1213 of 2024

Arising Out of PS. Case No.-558 Year-2023 Thana- PALIGANJ District- Patna

Ramshubak Singh @ Ramshubhag Singh, S/O Damodar Singh R/O Village-
Torni, P.S- Paliganj, Distt.- Patna (BIHAR).

... .. Appellant/s

Versus

1. The State Of Bihar
2. Amrita Kumari @ Kavita Kumari D/O Dawarika Das R/O Village- Torni,
P.S- Paliganj, Distt.- Patna (BIHAR).

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Nishikant
For the State	:	Mr. Sadanand Paswan
For the Informant	:	None

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 10-09-2025 1. Heard learned counsel for the appellant and the
learned Special Public Prosecutor for the State.
2. No one appears on behalf of the informant.
3. The appellant has challenged the order dated
29.01.2024 passed by the learned Exclusive Special Court,
SC/ST Act, Patna in connection with ABP No.10694 of 2023
arising out of Paliganj P. S. Case No.558 of 2023, instituted for
the offences under Sections 341, 323, 325, 452, 509 of the
Indian Penal Code and Section 3(1)(r)(s) of the Scheduled
Castes & Scheduled Tribes (Prevention of Atrocities) Act,
whereby his prayer for grant of anticipatory bail has been
rejected.



4. The learned counsel for the appellant submits that appellant is a person with clean antecedent and the informant alleges that on 16.10.2023 at about 4.00 P.M. while she was sitting inside her house, when the accused persons came and started abusing and assaulting her, thereafter the accused persons dragged the informant outside the house by holding her hair and abused by taking caste name as the informant's buffalo had entered the field of the appellant and had grazed the crops on the land.

5. 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 from perusal of the allegation in the FIR, it would manifest that informant alleges that the appellant came to her house, abused and assaulted her and thereafter, dragged her outside the house. It is submitted that even presuming what has been alleged is true without accepting, then the entire occurrence is alleged to have taken place inside the house of the informant. It is next submitted that informant alleges that appellant dragged her outside the house, but then, the FIR does not even remotely suggest that such occurrence was witnessed by any neighbour or any independent witness, as such, the occurrence did not take place in public view.



6. The learned Special P. P. opposes the bail application.

7. Regard being had to the aforesaid submissions, the order dated 29.01.2024 is set-aside.

8. The appeal stands allowed.

9. The appellant, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on anticipatory bail on his furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned learned Exclusive Special Court, SC/ST Act, Patna in connection with ABP No.10694 of 2023 arising out of Paliganj P. S. Case No.558 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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