

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1196 of 2025

Arising Out of PS. Case No.-14 Year-2025 Thana- Hariharnath P.S. District- Saran

1. Sanny Singh Son of Babloo Singh Resident of Village - Dudhailu Gachi, P.S. - Sonepur, District - Saran
2. Saurabh Singh Son of Satrugan Singh Resident of Village - Dudhailu Gachi, P.S. - Sonepur, District - Saran
3. Chandan Singh @ Babul Singh @ Bablu Singh Rana Son of Mantu Singh @ Dilip Kumar Singh Resident of Village - Sonepur Adam, Police Station -Sonepur, District - Saran, Chapra
4. Manish Kumar Singh @ Mani Singh @ Manish Singh Son of Paras Singh Resident of Village - Sonepur Adam, Police Station -Sonepur, District - Saran, Chapra
5. Aditya Singh Rana @ Aditya Raj Son of Paras Singh Resident of Village - Sonepur Adam, Police Station -Sonepur, District - Saran, Chapra
6. Amit Rajpoot @ Amit Kumar Singh Son of Paras Singh Resident of Village - Sonepur Adam, Police Station -Sonepur, District - Saran, Chapra

... .. Appellant/s

Versus

1. The State of Bihar
2. Nikhil Raj Son of Akhilesh Kumar Resident of Village - Ambedkar Nagar, P.S. - Sonepur in the District of Saran, Chapra

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Braj Nandan Kumar Tiwary, Advocate
For the Resp. No.2	:	Mr. Bhola Prasad, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl.PP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 01-07-2025 Heard Mr. Braj Nandan Kumar Tiwary, learned

counsel, Mr. Bhola Prasad, learned counsel for the Respondent

No.2 for the appellants as well as Mr. Binay Krishna, learned

Spl.P.P. for the State.

2. This is an appeal under Sections 14(A)(2) against
refusal of the prayer for anticipatory bail by order dated
05.03.2025 passed by the learned Court of Exclusive Special
Judge SC/ST Act Saran at Chapra in A.B.P No. 535 of 2025



arising out of Hariharnath P.S. Case No. 14 of 2025, F.I.R. dated 30.01.2025 registered under Sections 126(2), 115(2), 303(2), 352, 3(5) of Bharatiya Nyay Sanhita and Sections 3(1) (r) (s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes Act.

3. According to the prosecution case, the informant alleged that on 28.01.2025 at 9:15 P.M when he was returning home, in the meantime, the appellants surrounded him and started abusing him by his caste name and assaulted him by fist and slap and snatched Rs.4,500/- from him.

4. Learned counsel for the appellants submits that appellants are innocent and they have falsely been implicated in the present case. It appears from the FIR that although the appellants are named in the FIR but there is no specific allegation of assault or overt act or abusing by caste name against them rather the allegation levelled against them are general and omnibus and so far as injury is concerned, injury sustained by the informant is simple in nature caused by hard and blunt substance.

5. Learned Special Public Prosecutor for the State and learned counsel for the Respondent No.2 have vehemently opposed the prayer for bail of the appellants and submits that the occurrence took place in the public view and apart from that



appellant nos.5 and 6 have clean antecedent and appellant nos.1 and 2 have three criminal antecedents and appellant nos.3 and 4 have one criminal antecedent other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that all the petitioners are on bail in the pending matters.

6. After hearing the parties, in my view for the purpose of this anticipatory bail, no offence under the provisions of Scheduled Castes and Scheduled Tribes Act is made out.

7. Considering the aforesaid facts and circumstances, there is no specific allegation of assault or overt act or abusing by caste name against these appellants rather the allegation levelled against them are general and omnibus, let the appellants, above named, in the event of their arrest to surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two surities of the like amount each to the satisfaction of learned Court of Exclusive Special Judge SC/ST Act Saran at Chapra in connection with Hariharnath P.S. Case No. 14 of 2025 , subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita, 2023 and with other following conditions:-



i. Appellants shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the appellants tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the appellants and in case at any stage it is found that the appellants have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the appellants. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. Accordingly, the impugned order is set aside and this appeal stands allowed.

(Rajesh Kumar Verma, J)

Suruchi/-

U		T	
---	--	---	--

