

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1261 of 2025

Arising Out of PS. Case No.-578 Year-2024 Thana- RANIGANJ District- Araria

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1. Bobby Kumar @ Bobby Deol S/O Biren Singh @ Birendra Singh R/O Village- Pachera, Ward No. 11, P.S- Raniganj, Distt.- Araria.
 2. Deena Nath Singh S/O Narain Singh R/O Village- Pachera, Ward No. 11, P.S- Raniganj, Distt.- Araria.

... .. Appellant/s

Versus

1. The State of Bihar
2. Ramji Mandal S/O Late Baldev Mandal R/O Village- Babupur, P.S- Bakharpur, Distt.- Bhagalpur.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Gopal Kumar Jha, Advocate
For the Respondent/s : Mr. Sadanand Paswan, SPP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 26-06-2025 Heard learned counsel for the appellants and learned Special Public Prosecutor (SPP) for the State. Learned SPP for the State submits that he has informed the informant regarding institution of the present case.

2. The instant appeal has been filed by the appellants against the order dated 27-02-2025 passed by learned 1st Additional Sessions Judge-cum-Special Judge, Araria whereby the prayer for bail of the appellants in connection with Raniganj PS Case No. 578 of 2024 under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 117(2), 109, 132 & 111 of the Bharatiya Nyaya Sanhita, 2023 and Sections 3(i)(r) & 3(i)(s) of SC/ST Act



was rejected.

3. The prosecution alleges that on 26/12/2024, during a police response to a report of illegal sand mining and a fight in village Pachira, the accused attacked the police team with sticks and rods, injuring the informant and a driver. They also allegedly misbehaved with a woman constable and attempted to snatch a weapon. The accused fled with the key of the Dial 112 vehicle before more officers arrived and took the injured for treatment.

4. Learned counsel for the appellants submits that the appellants are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the appellants submits that there is no specific allegation against the appellants, rather allegation is general and omnibus in nature. Injury of the injured is found to be grievous in nature. Learned counsel for the appellants further submits that the appellants have not taken the caste name of the informant in public view. Hence, no offence under the provisions of SC/ST Act is made out against them. The appellants have no intention to disgrace the image of the informant in public view. The appellants are in custody since 31-12-2024 and have no criminal antecedent.



5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the appellants.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the appellants, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 27-02-2025 passed by learned 1st Additional Sessions Judge-cum-Special Judge, Araria is hereby set aside.

7. Let the appellants be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Raniganj PS Case No. 578 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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