

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1260 of 2025

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

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1. Biren Singh @ Birendra Singh S/O Late Ugan Singh R/O Village- Pacheera, Ward No. 11, P.S- Raniganj, Distt.- Araria.
 2. Sunny Kumar @ Sanni Kr. Singh S/O Biren Singh @ Birendra Singh R/O Village- Pacheera, 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
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 18-09-2025 Heard learned counsel for the appellants and learned Special Public Prosecutor for the State.

2. This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter in short referred to as the SC/ST Act) against the refusal of prayer of bail *vide* order dated 03.03.2025 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Araria in connection with Raniganj P.S. Case No. 578 of 2024 dated 27.12.2024 registered for the offence/s punishable u/ss 191(2), 191(3), 190, 126(2), 115(2), 118(1), 117(2), 109, 132 and 111 of the B.N.S. and Section 3(1)



(r), 3(1)(s) of SC/ST Act.

3. As per the prosecution case, on information, the informant along with other police personnel reached the place of the occurrence, in the meantime, the 4-5 unknown persons attacked them with sticks, rods and khanti due to which the informant and the driver sustained head injuries. It is further alleged that the appellant no.2 (Sunny Kumar) misbehaved with the women constable and also tried to snatch the weapon from her and took the key of police vehicle and fled away.

4. Learned counsel for the appellants has submitted that the appellants have falsely been implicated in this case due to ulterior motive. The names of the appellants have sprung up in this case on mere suspicion. There is no specific allegation of assault against the appellants rather the allegation against the appellants are general and omnibus in nature. There is no allegation of abuse against the appellants and hence, no offence under the provisions of SC/ST Act is made out against the appellants. The appellants have no criminal antecedent as stated at para 3 of the bail petition. The appellants are in custody in this case since 03.01.2025.

5. Learned Spl.P.P. for the State has vehemently opposed the prayer of bail of the appellants.



6. In view of the aforesaid facts and circumstances of the case as well as finding substance in the contention of the learned counsel for the appellants, the impugned order dated 03.03.2025 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Araria in connection with Raniganj P.S. Case No. 578 of 2024 is set aside against the appellants. The criminal appeal is allowed.

7. Accordingly, the above named appellants, are directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge, Araria in connection with Raniganj P.S. Case No. 578 of 2024, with a condition:-

(i) The appellants are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the appellants are liable to be cancelled.

(Chandra Prakash Singh, J)

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