

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1361 of 2025

Arising Out of PS. Case No.-256 Year-2024 Thana- BHAGWANPUR District- Vaishali

1. Bipin Kumar Singh @ Vipin Kumar S/O Late Ramchandra Singh Resident of village- Ashtpur Satpura, PS- Bhagwanpur, District- Vaishali
2. Ravishankar Kumar S/O Bipin Kumar Singh @ Vipin Kumar Resident of village- Ashtpur Satpura, PS- Bhagwanpur, District- Vaishali
3. Kunal Kumar S/O Bipin Kumar Singh @ Vipin Kumar Resident of village- Ashtpur Satpura, PS- Bhagwanpur, District- Vaishali

... .. Appellant/s

Versus

1. The State of Bihar
2. Sabita Kumari W/O Prabhu Paswan Resident of village- Ashtpur Satpura, PS- Bhagwanpur, District- Vaishali

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ajay Kumar Thakur, Adv. Mrs. Vaishnavi Singh, Adv.
For the Respondent/s	:	Mr. Sadanand Paswan, Spl.P.P. Mr. Dharmendra Paswan, Adv.for Resp.-2

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 19-09-2025 Heard learned counsel for the appellants, learned Special P.P. for of the State and learned counsel appearing on behalf of respondent no. 2.

2. This appeal has been filed against the order dated 27.02.2025 passed by learned Exclusive Special Judge, SC/ST Act, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 256 of 2024, registered under Sections 126(2), 115, 109, 76, 352 and 3(5) of the B.N.S., 2023 and Sections 3(i)(r), 3(i)(s) and 3(2)(v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (for short “SC/ST Act”), whereby the prayer for bail of appellants has been rejected.



3. As per prosecution case, on 10.09.2024 at about 12:40 O'clock, while informant/respondent no. 2 was alone at her home, appellant no. 2 & 3 entered the house of informant, misbehaved with her and thereafter, disrobed her, however, on alarm raised by her, both accused started fleeing away, but nearby people caught them. It is further alleged that thereafter, appellant no. 1 and other two co-accused persons came there, abused informant with her caste name and thereafter, all of them started indiscriminate firing and took away appellant no. 2 & 3 with them.

4. Learned counsel for the appellants submits that no such occurrence, as alleged in the F.I.R., ever took place. It was the prosecution party, who due to land dispute, attacked the appellant no. 3 and caused injuries on his vital parts, for which, appellant no. lodged Bhagwanpur P.S. Case No. 257 of 2024. There is dispute between the parties over a piece of land measuring 30 decimals, bearing khata no. 272, khesra no. 196, which was purchased through registered sale-deed in the name of appellant no. 2 and one Ajay Kumar Singh by one Jitendra Kumar Singh on 23.02.2023. The said land was earlier purchased by Jitendra Kumar Singh from one Sanjeev Kumar on 23.11.2018. The prosecution party is claiming title over same



land and they are forcibly trying to capture the said land. On the same land, proceeding under Section 144 Cr.P.C. is going on. In this case, appellant no. 1 is in custody since 31.01.2025 and appellant nos. 2 & 3 are in custody since 17.02.2025.

5. Learned Spl. Public Prosecutor for the State and learned counsel for the respondent no. 2 vehemently opposed the appeal.

6. However, considering the aforesaid facts and circumstances as well as period of custody, the impugned order dated 27.02.2025, so far as these appellants are concerned, is set aside and this criminal appeal is allowed.

7. Let the appellants, as named above, be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned learned Exclusive Special Judge, SC/ST Act, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 256 of 2024.

(Prabhat Kumar Singh, J)

anay

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

