

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1318 of 2025

Arising Out of PS. Case No.-132 Year-2024 Thana- SURYAGARHA District- Lakhisarai

Aman Kumar S/o Suraj Ram R/o Village- Nababganj (Nawabgnj), P.S.-
Surajgarha, District- Lakhisarai

... .. Appellant/s

Versus

1. The State of Bihar
2. Budhan Ram @ Budhan Kumar S/o Awadh Ram R/o Village- dNawabganj,
P.S.- Surajgarha, District- Lakhisarai

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Nilendu Kumar Choudhary

For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 16-05-2025 1. Heard learned counsel for the appellant and learned
Special PP for the State, Mr. Binay Krishna and the learned
counsel appearing on behalf of the informant.

2. This is an appeal under Section 14-A(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST
Act”) against the refusal of prayer for bail vide order dated
18.03.2025 in B.A. No. 204 of 2025 passed by the learned 1st
Additional District and Sessions Judge-cum-Special Judge,
SC/ST Act, Lakhisarai in connection with Surajgarha P.S. Case
No. 132 of 2024 registered under Sections 147, 149, 341, 323,
307, 302, 504, 506 of the Indian Penal Code as well as Sections



3(1)(r), 3(1)(s) and 3(2)(va) of the SC/ST (POA) Act.

3. Learned counsel for the appellant submits that appellant had earlier moved this Court seeking anticipatory bail by filing Criminal Appeal (SJ) No. 3442 of 2024 and the same was dismissed by an order dated 29.08.2024. It is next submitted that thereafter the petitioner surrendered. It is further submitted that petitioner is in custody since 06.12.2024 and has antecedent of four cases, two of which are under the excise act. It is next submitted that father of the appellant namely Suraj Ram had approached this Court seeking bail by filing Criminal Appeal (SJ) No. 3765 of 2024 and the same was allowed by an order dated 05.10.2024, it is next submitted that the case of the appellant herein is akin to the case of Suraj Ram, as allegation of assaulting the deceased is against Jha Jee @ Santosh Kumar and Saurav Yadav. It is also submitted that SC/ST act also does not get attracted, as appellant himself belongs to the SC community. It is further submitted that while granting regular bail to Suraj Ram in Criminal Appeal (SJ) No. 3765 of 2024, the Court had considered the case on merit and recorded the order in detail.

4. Learned Special Public Prosecutor and the learned counsel appearing on behalf of the informant oppose the appeal



of the appellant, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the appellant that there is no specific allegation of assault against the appellant.

5. Considering the submission of the learned counsel for the appellant, the order impugned date 18.03.2025 passed in B.A. No. 204 of 2025 **is set aside**, let the appellant, above named, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending in connection with the aforesaid case.

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

(Satyavrat Verma, J)

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