

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1675 of 2024

Arising Out of PS. Case No.-319 Year-2023 Thana- BUNIYAD GANJ District- Gaya

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Manish Kumar S/o Jamindar Yadav R/o Village- Panda bigha, PS-
Buniyadganj, Dist- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Sabnam Devi W/o Pappu Paswan R/o vill - Panda Bigha, P.s. - Buniyadganj,
Distt. - Gaya

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Ashok Kumar, Adv.

For the Respondent/s : Ms. Usha Kumari 1, Spl. PP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

4 08-10-2025 1. Heard learned counsel for the appellant and
learned Spl. P.P. for the State, Ms. Usha Kumari No. 1.

2. The learned counsel for the appellant submits
that from perusal of the office report dated 26.06.2025, it would
manifest that the notice has been validly served on the
respondent no. 2, but then no one appears on behalf of the
respondent no. 2 to contest the case.

3. 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 anticipatory bail vide order dated 29.02.2024 in A.B.P. No. 59 of 2024 passed by the learned Exclusive Special Court S.C./S.T. (POA) Act, Gaya in connection with Buniyadganj P.S. Case No. 319 of 2023 registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 325, 307, 504 and 506 of the Indian Penal Code as well as Sections 3(i)(r)(s) and 3(2)(v-a) of the SC/ST Act.

4. Learned counsel for the appellant submits that appellant is a person with clean antecedent and the informant alleges that on 27.10.2023 at about 09:00 AM, the informant along with her husband were in their house when the accused persons including the appellant came and started abusing by taking caste name and also told the informant that he objected to sing song on occasion of *Durga Puja* and thereafter assaulted her husband, on alarm villagers and relatives of the informant gathered, thereafter other accused persons also came and surrounded the house of the informant and assaulted the husband of the informant causing injury on head and leg.

5. Learned counsel for the appellant submits that



appellant has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the entire occurrence took place at the house of the informant. It is next submitted that even allegation of assault against the appellant is not specific nor the FIR discloses the name of the person who gathered at the place of occurrence. It is also submitted that allegation is against 23 named accused persons along with 25-30 unknown. It is next submitted that appellant will not abscond rather will cooperate in the investigation to prove his innocence.

6. Learned Spl. P.P. for the State opposes the prayer for anticipatory bail of the appellant.

7. In view of the submissions made by the learned counsel for the appellant, the order dated 29.02.2024 in A.B.P. No. 59 of 2024 passed by the learned Exclusive Special Court S.C./S.T. (POA) Act, Gaya in connection with Buniyadganj P.S. Case No. 319 of 2023, **is hereby set aside** and the appellant above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where



the case is pending/successor court in connection with
Buniyadganj P.S. Case No. 319 of 2023 subject to the conditions
as laid down under Section 482 (2) of the BNSS.

8. Accordingly the appeal stands allowed.

(Satyavrat Verma, J)

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