

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1603 of 2025

Arising Out of PS. Case No.-922 Year-2024 Thana- BHABHUA District- Kaimur (Bhabua)

1. Rambali Sah S/o Late Bhuro Sah R/o vill - Gobarachh, P.S.- Bhagwanpur, Distt.- Kaimur
2. Rajkumar Sah S/o Jamuna Sah @ Feru Sah R/o vill - Devarji (Devarji Kala), P.s.- Bhabua, Distt.- Kaimur

... .. Appellant/s

Versus

1. The State of Bihar
2. Munshi Ram S/o Sahagu Ram R/o vill - Ruiea, P.S.- Durgawati, Distt.- Kaimur (Bhabua)

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Rakesh Kumar Mishra, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. Public Prosecutor
For the Informant	:	Mr. Binod Kumar Singh, Ms. Deepali Singh, Mr. Amrendra Kumar, Advocates

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 23-07-2025 Heard learned counsel for the parties.

2. This appeal has been filed against the order dated 03.04.2025 passed by learned 1st Additional Sessions Judge cum Special Judge, Kaimur at Bhabua in ABP No. 1757 of 2024 arising out of Bhabua P.S. Case No. 922 of 2024, registered under Sections 126(2), 115(2), 109, 303(2), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita and Sections 3(1)(r)(s), 3(2)(v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellants has been rejected.



3. Informant alleged that on 21.11.2024 at about 10 AM, when informant went to the house of appellant no. 1 to demand his due amount of Rs. 4,000/-, these appellants abused him by caste name and assaulted him by means of iron rod as a result of which informant sustained head injury. It is further alleged that the appellants dragged him out of their house and snatched gold chain from his neck.

4. Learned counsel for the appellants submits that appellants are innocent and have committed no offence. As a matter of fact, appellant no. 1 is Chairman of PACS in Padhuti Panchayat for last 15 years and this case has been lodged at the instance of one Harishankar Gupta, who is political rival of the appellant. Allegation of assault is general and omnibus. Injuries sustained by the injured are simple in nature. Moreover, it is not the case of informant that alleged incident occurred within public view, as such, no offence under SC/ST Act is made out against appellants.

5. Learned Spl. Public Prosecutor for the State as well as learned counsel for the informant vehemently opposed the bail application.

6. Considering the nature of accusation and simple injury, let the appellants, as named above, in the event of their



arrest/surrender within a period of eight weeks from today, be enlarged 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 learned 1st Additional Sessions Judge cum Special Judge, Kaimur at Bhabua in ABP No. 1757 of 2024 arising out of Bhabua P.S. Case No. 922 of 2024.

7. Accordingly, this criminal appeal is allowed and impugned order dated 03.04.2025 is set aside with respect to these appellants only.

(Prabhat Kumar Singh, J)

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