

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1614 of 2025

Arising Out of PS. Case No.-13 Year-2025 Thana- SC/ST District- Samastipur

1. Bittu Giri S/o- Dayanand Giri resident of Village- Raipur Ps- Ujiyarpur Dist- Samastipur
2. Vinod Giri S/o- Batahu Giri @ Chandeshwar Giri resident of Village- Raipur Ps- Ujiyarpur Dist- Samastipur

... .. Appellant/s

Versus

1. The State of Bihar
2. Aklu Paswan S/o- Late Jagdur Paswan Village- Raipur Ps- Ujiyarpur Dist- Samastipur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Bijay Bhushan Prasad, Advocate
For the State	:	Mr. Sadanand Paswan, Spl. PP
For respondent no. 2		Mr. BARUN KUMAR SINGH , Advocate
		Mr. AKSHANSH SHANKER, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 12-11-2025 Heard learned counsel for the appellants, learned counsel for respondent no. 2 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 referred to as the “SC/ST Act”) against the refusal of prayer for bail vide order dated 26.03.2025 passed by the learned Special Judge, SC/ST Act, Samastipur in connection with Samastipur SC & ST P.S. Case No. 13 of 2025 dated 02.02.2025 registered for the offences punishable under Sections 126(2), 115(2), 303(2), 329(4), 352, 351(2), 3(5) of Bharatiya



Nyaya Sanhita, 2023 and section 3(i)(r)(s), 3(1)(w), 3(2)(va) of SC/ST Act.

3. The case of the prosecution, in brief, is that on the alleged date of occurrence, the appellants along with other accused persons were slapping the grandson of the informant and abusing by taking his caste name. It is also alleged that all accused persons entered the house of the informant and assaulted the informant by means of lathi.

4. Learned counsel for the appellant submits that the appellants are innocent and they have been falsely implicated in this case. It is further submitted that there is no specific allegation against the appellants rather the allegation against the appellants are general and omnibus. It is submitted that the appellants and the informant are co-villagers. The grandson of the informant is friend of the appellants and it is stated that for petty matter, they have quarrelled and during that some scuffling took place which was settled down after intervention of both sides. No case under Section 3(1)(r)(s) or 3(2)(va) of SC/ST Act is made out against the appellants. It is further submitted that the matter has been settled between the parties outside the court. Lastly, it is submitted the appellants have no criminal antecedents.

6. Learned Special Public Prosecutor for the State has vehemently opposed the prayer of the appellant. Learned counsel



for respondent no. 2 affirmed the statement made by the learned counsel for the appellants that the matter has already been settled between the parties outside the court.

7. Having considered the facts and circumstances of the case, let the above named appellant, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, upon furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST Act, Samastipur in connection with Samastipur SC & ST P.S. Case No. 13 of 2025, subject to the condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

8. The impugned order dated 26.03.2025 passed in connection with Samastipur SC/ST P.S. Case No. 13 of 2025 by the learned Special Judge, SC/ST Act, Samastipur is hereby set aside.

9. The appeal stands allowed.

(Khatim Reza, J)

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