

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2052 of 2024

Arising Out of PS. Case No.-4 Year-2024 Thana- MURLIGANJ District- Madhepura

- 1 . Mithu Chadh @Mithu Kumar Chadh SON OF ARUN @ UMESH CHADH
RESIDENT OF VILLAGE- PARWA WARD NO. 02 PS- MURLIGANJ,
DIST- MADHEPURA
2. JETHU CHADH @ NITISH CHADH @ JETU CHADH @ NITISH
KUMAR SON OF ARUN CHADH RESIDENT OF VILLAGE- PARWA
WARD NO. 02 PS- MURLIGANJ, DIST- MADHEPURA

... .. Appellant/s

Versus

- 1 . The State of Bihar
2. SATRUGHAN PASWAN SON OF LATE SAHDEV PASWAN RESIDENT
OF VILLAGE- PARWA WARD NO. 05 PS- MURLIGANJ, DIST-
MADHEPURA

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Nafisu Zzoha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 13-11-2025 Heard learned counsel for the parties. Despite
valid service of notice , nobody appears on behalf of respondent
No. 2.

2. This appeal has been filed for setting aside order
dated 28.02.2024 passed in a case registered for the offence
punishable under sections 341, 323, 504, 506 and 34 and other



allied sections of the Indian Penal Code and sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes Act, whereby the prayer for anticipatory bail of the appellant has been rejected.

3 . The prosecution case in brief, is that informant namely Shatrudhan Paswan alleged that for a theft of a goat a panchayati was held in which these appellants abused informant by caste name .

4. It is submitted on behalf of appellants that for the recovery of stolen goat a panchayati was held in which a scuffle took place between the parties. Allegation is general and omnibus against these appellants. There is no material to suggest that the offence was committed only on the ground that informant belongs to Schedule castes or Schedule tribes and as such, no case under SC/ST Act is made out. Appellants claim clean antecedent.

5 . Learned special public prosecutor for the State opposed the bail.

6. Considering the aforesaid facts, this appeal is allowed and the impugned order is set aside. Let the appellants, named above, in the event of arrest/surrender within a period of eight weeks from the date of receipt/production of a copy of this order, be enlarged 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 the learned ADJ – VI cum Special Judge POCSO Court Madhepura in connection with Murliganj Police Station Case No. 04 of 2024 .

(Prabhat Kumar Singh, J)

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