

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1962 of 2025**

Arising Out of PS. Case No.-235 Year-2024 Thana- DHARHARA District- Munger

Mukesh Kumar Sah son of Late Baldeo Sah village- Matadih, Ps- Dharhara,
Dist- Munger

... .. Appellant/s

Versus

1. The State of Bihar
2. Prem Kumar Ranjeet Son of Late Ram Chandra Das village- Matadih, Ps-
Dharhara, Dist- Munger

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shashi Saurabh, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl. PP
For informant : Mr. Akhilesh Kumar Pandey, Advocate
Mr. Brij Mohan Das , Advocate

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 10-11-2025 Heard learned counsel for the parties.

2. This appeal has been filed for setting aside order dated 24.04.2025 passed in a case registered for the offence punishable under sections 190, 191(2), 191(3), 126(2), 115(2), 352, 351(2), 351(3) of B.N.S and section 3(i)(r)(s), 3(2)(va) of SC/ST Act, whereby the prayer for anticipatory bail of the



appellant has been rejected.

3 . As per the prosecution case , informant namely, Prem Kumar Ranjeet, alleged that on 17.10.2024 at about 10:30 PM, all the F.I.R. named accused persons including this appellant came and surrounded informant and abused him by caste name and also assaulted him. It is further alleged that when informant went for a walk then accused persons brutally assaulted the informant and forcibly dragged and thrown him into a nearby garden .

4. It is submitted on behalf of appellant that both parties are co-villagers and on account of previous enmity they have falsely been implicated in this case . Allegation of assault is general and omnibus. No specific overt act has been alleged against this appellant. It is further submitted that there is no other material to suggest that the offence was committed solely on the ground that the informant belongs to Schedule caste and Schedule tribes and as such no offence under SC / ST Act is made out.

5 . Learned special public prosecutor for the State as well as learned counsel for respondent No. 2 opposed the bail.

6. Considering the aforesaid facts, this appeal is allowed and the impugned order is set aside. Let the appellant,



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) with two sureties of the like amount each to the satisfaction of the learned A.D.J I, Munger (SC/ST Court) in connection with Dharhara Police Station Case No. 235 of 2024 .

(Prabhat Kumar Singh, J)

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