

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2002 of 2025

Arising Out of PS. Case No.-69 Year-2025 Thana- SALIMPUR District- Patna

Subodh Singh @ Bhallu Singh @ Subodh Sharma @ Bhalu Singh @ Subodh Kumar Singh S/O Late Krishna Nandan Sharma R/O Village- Karota, P.S.- Salimpur, District- Patna.

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Vina Devi W/O Vijendra Paswan R/O Village- Karota, P.S- Salimpur, Distt.- Patna.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Raj Krishna Jha, Adv.
For the Respondent/s	:	Md. Anwar, Adv.
For the Staste	:	Ms.Usha Kumari 1, Spl.PP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 22-08-2025 Heard learned counsel for the appellant, learned counsel for the informant and learned Spl. P.P. 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 against the rejection of prayer for bail of the appellant vide order dated 22.04.2025 passed by the learned Exclusive Special Judge (SC/ST Act), Civil Court (Sadar), Patna in connection with Serial No. 137/2025 arising out of Salimpur P.S. Case No. 69 of 2025 dated 17.03.2025 registered for the alleged offences punishable under Sections 126(1), 115(2), 109, 352, 351(2) read with Section 3(5) of the B.N.S. and Sections



3(1)(r)(s)/ 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. As per prosecution case, the informant's husband went to the house of the appellant to invite in the last feast ceremony of his uncle then the appellant came out of his house and started abusing him by calling his caste name. When the informant's husband objected, the appellant and the others started assaulting the informant's husband with lathi, danda and rod due to which he sustained injuries. When the informant came to know about the said incident, she reached the place of occurrence and saw that her husband had received head injury and he was lying in pool of blood. The informant raised alarm then the local people came there and the informant's husband was taken to the hospital for treatment.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in this case. There is a case and counter case between the parties. It is further submitted that no member of public was present at the relevant point of time of the incident and hence, no offence under provisions of SC/ST Act is made out against the appellant. There is no specific allegation against the appellant rather the allegation against the appellant is general and omnibus in



nature. It is further submitted that the charge-sheet has been submitted against the appellant. It is further submitted that the appellant has no concern with the alleged offence. The appellant has no criminal antecedent as stated in para 3 of the bail petition. The appellant is in custody since 18.03.2025.

5. Learned Special Public Prosecutor for the State as well as learned counsel for the respondent no. 2 have opposed the prayer for bail of the appellant and submitted that the appellant along with his associates assaulted the informant's husband due to which he sustained severe injury and admitted to hospital and during the course of treatment, he died. As per the post-mortem report of the deceased, the cause of death was due to cranio cerebral injuries caused by hard and blunt substance.

6. In view of the aforesaid facts and circumstances of the case as well as finding substance in the contention of the learned counsel for the appellant, the impugned order dated 22.04.2025 passed by the learned Exclusive Special Judge (SC/ST Act), Civil Court (Sadar), Patna in connection with Serial No. 137/2025 arising out of Salimpur P.S. Case No. 69 of 2025, is set aside against the appellant. The criminal appeal is allowed.

7. Accordingly, the above named appellant, is directed



to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (SC/ST Act), Civil Court (Sadar), Patna in connection with Serial No. 137/2025 arising out of Salimpur P.S. Case No. 69 of 2025 with the condition :-

(i) The appellant is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

(Chandra Prakash Singh, J)

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