

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2207 of 2025

Arising Out of PS. Case No.-137 Year-2024 Thana- SULTANGANJ District- Bhagalpur

1. Munna Kumar Singh @ Munna Singh son of Jageshwar Singh @ jago singh Village -Udhadih near Bhir Khurd PS -Sultanganj District -Bhagalpur
2. Sanjay Kumar singh @ Sanjay Singh Son of Mukhtar Singh Village -Udhadih near Bhir Khurd PS -Sultanganj District -Bhagalpur
3. Vivka Nand Singh @ Kare Singh @ Viveka Nand Singh Son of Shiv Narayan Singh @ Siwan Singh @ Shivan Singh Village -Udhadih near Bhir Khurd PS -Sultanganj District -Bhagalpur
4. Bikash Kumar Singh @ Vikas Singh @ Vikas Kumar Singh Son of Munna Singh @ Munna Kumar Singh Village -Udhadih near Bhir Khurd PS -Sultanganj District -Bhagalpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Raju Manjhi Son of Late Polo Manjhi Village -Udhadih Ward no. 9, PS -Sultanganj District -Bhagalpur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ashok Kumar Jha, Advocate Mr. Ankit Raj, Advocate
For the State	:	Mrs. Usha Kumari 1, Special P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 03-12-2025 Heard learned counsel for the appellants and Mrs. Usha Kumari-1, learned Special 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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 02.05.2025, passed by learned District & Additional Sessions Judge-III-cum-Special Judge, SC/ST Act, Bhagalpur in connection with Sultanganj P.S. Case No.137 of 2024, registered under Sections



341, 323, 307, 379, 504, 385, 506 and 34 of the Indian Penal Code and Section 3(1)(r) of SC/ST (POA) Act.

3. Learned counsel appearing on behalf of the appellants submits that the case was taken up on 04.08.2025 when notices were issued on respondent no.2. It is next submitted that from perusal of the office report dated 20.11.2025, it would manifest that the notice has been validly served upon respondent no.2 but then respondent no.2 chooses not to appear and contest. It is next submitted that appellants have antecedent of one case and the informant alleges that on 25.03.2024 at 07:00 p.m. while he was guarding his crop when the accused persons including the appellants came and demanded Holi expenses from him and on refusal, they abused by taking caste name and when he protested, Vikash Singh assaulted him by a rod causing injury on head. Thereafter Munna Singh caught his waist and Sanjay Singh and Kare Singh snatched his silver chain and the accused threatened that if any case is instituted, he will be killed.

4. Learned counsel for the appellants submits that appellants have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation, as alleged in the FIR, it would manifest that allegation of abuse is general and omnibus in nature. It is also submitted that it does not appear probable that all the appellants in one go would have



abused the informant by taking caste name. It is also submitted that on intervention of well wishers, the parties have compromised and the informant does not intend to pursue the case any further and this perhaps explains why the informant despite receiving notice chooses not to appear. It is also submitted that compromise petition is annexed as Annexure-2 to the appeal.

5. The learned Special P.P. opposes the appeal.

6. Considering the submissions made by learned counsel for the appellants, let appellants, above named, in the event of their arrest or surrender before the learned Trial Court within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending in connection with Sultanganj P.S. Case No.137 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. Accordingly, the impugned order is set aside and this appeal stands allowed.

(Satyavrat Verma, J)

Sanjay/-

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