

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.2874 of 2024**

Arising Out of PS. Case No.-297 Year-2023 Thana- MASHRAK District- Saran

Sonu Kumar Singh son of Mahesh Kumar Singh @ Mahesh Singh Resident  
of village-Shitalpur, Ps- Taraiya Dist- Saran

... .. Appellant/s

Versus

1. The State of Bihar
2. Prabat Manjhi son of Late Monaka Manjhi Village- Chainpur Ps- Mashrakh  
Dist- Saran

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr. Satyendra Narayan Singh, Advocate  
For the State : Mr. Binay Krishna, Spl.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

5      12-08-2025                      Heard Mr. Satyendra Narayan Singh, learned counsel  
for the appellant and Mr. Binay Krishna, learned Special Public  
Prosecutor for the State.

2. Learned Spl.P.P. for the State has informed this  
Court that he has informed Respondent No. 2 (informant) about  
the present case through the Superintendent of Police, Chapra at  
Saran on 02.08.2025. Despite of that, no one appears on behalf  
of the Respondent No. 2.

3. This is an appeal under Sections 14(A)(2) against  
refusal of the prayer for anticipatory bail by order dated  
07.03.2024 passed by the learned Additional District and  
Sessions Judge-cum-Special Judge, SC/ST Act, Saran at Chapra



in A.B.P. No. 685 of 2024 arising out of Mashrakh P.S. Case No. 297 of 2023, F.I.R. dated 09.06.2023 registered under Sections 341, 323 307/34 of the Indian Penal Code and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes Act, 1989.

4. According to the prosecution case, the appellant along with other co-accused persons came to the house of the informant and started abusing him by taking his caste name and they also assaulted him.

5. Learned counsel for the appellant submits that appellant is innocent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and from a bare perusal of the FIR it appears that the present occurrence has taken place at the house of the informant so, no case is made out under SC/ST Act against the appellant. Apart from that, the specific allegation of assault and abusing has been attributed against the co-accused, namely, Rajiv Kumar Singh and there is no specific allegation of any assault or overt act or abusing against the appellant.

6. Learned Special Public Prosecutor for the State has vehemently opposed the prayer for bail of the appellant and submits that the appellant has two more cases other than the present one but fairly submits on the basis of paragraph 3 of the



bail petition that the appellant is on bail in the pending matters.

7. After hearing the parties, in my view for the purpose of this anticipatory bail, no offence under the provisions of Scheduled Castes and Scheduled Tribes Act is made out.

8. Considering the facts and circumstances of the case, the occurrence has taken place in the house of the informant, so, no case is made out under SC/ST Act against the appellant and apart from that there is no specific allegation of any assault or overt act or abusing against the appellant in the FIR, let the appellant, above named, in the event of his arrest to surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two surities of the like amount each to the satisfaction of learned Additional District and Sessions Judge-cum-Special Judge, SC/ST Act, Saran at Chapra in A.B.P. No. 685 of 2024 arising out of Mashrakh P.S. Case No. 297 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita, 2023 and with other following conditions:-

i. Appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court



and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the appellant tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the appellant and in case at any stage it is found that the appellant has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the appellants. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

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

**(Rajesh Kumar Verma, J)**

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