

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2918 of 2024**

Arising Out of PS. Case No.-918 Year-2023 Thana- NAGAR District- Vaishali

Ram Naresh Singh Son of Late Gopal Singh R/O Vill.- Mahadev Bigha,
Rauna, P.S.- Belaganj, Dist.- Gaya

... .. Appellant/s

Versus

1. The State Of Bihar Bihar
2. Bhikhari Ram Son of Ramu Ram R/O Vill.- Mohammadpur pojha, P.S.-
Goraul, Dist.- Vaishali

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Priya Ranjan, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl. P.P.

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

5 22-07-2025 Heard Mr. Priya Ranjan, learned counsel for the

appellant as well as Mr. Sadanand Paswan, learned Spl.P.P. for

the State.

2. Despite valid service of notice upon respondent
No.2, no one appears on behalf of respondent No.2

3. This is an appeal under Sections 14(A)(2) against
refusal of the prayer for anticipatory bail by order dated
27.04.2024 passed by the learned Exclusive Special Judge,
SC/ST-cum-Additional District and Sessions Judge, Vaishali at
Hajipur, in connection with Hajipur Town P.S. Case No.918 of
2023, F.I.R. dated 11.11.2023 registered under Sections 341,
323, 324, 379, 307, 504/34 of the Indian Penal Code and
Sections 3(1) (x) and later on Sections (r) (s) (w) 3(2) (va) of
the Scheduled Castes and Scheduled Tribes Act were added.



4. According to the prosecution case, the informant Bhikhari Ram, a labourer, on 10.11.2023 around 1:30 PM, while he was in Hajipur near Sadar Hospital Road, he was confronted by Ravi Bhushan Kumar alias Dipu Singh, Ram Naresh Singh, and two unknown individuals who arrived in a Scorpio car. Ravi Bhushan Kumar allegedly abused and then assaulted him with a sharp weapon on the head. The unknown persons tied him with a rope, and Ram Naresh Singh allegedly took ₹23,000 from his pocket.

5. Learned counsel for the appellant submits that appellant has clean antecedents and he has falsely been implicated in the present case. Although, the appellant is named in the F.I.R., but from bare perusal of F.I.R., it appears that there is no specific allegation of any assault or overt act attributed against the appellant rather he has snatched Rs.23,000/- from the pocket of the informant and apart from that the present occurrence, as alleged in the F.I.R. is 10.11.2023 but the present F.I.R. had been instituted on 11.11.2023, after delay of one day, without giving any explanation of delay. Learned counsel for the appellant submits that the same is ornamental and no such occurrence has taken place, rather there is specific allegation of assault or overt act attributed against co-accused person,



namely, Ravi Bhushan Kumar @ Dipu Singh which suggests that the informant has filed the present F.I.R. only to falsely implicate the appellant.

6. Learned Special Public Prosecutor for the State has vehemently opposed the prayer for bail of the appellant.

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 aforesaid facts and circumstances, the appellant has clean antecedent, there is no specific allegation of any assault or overt act attributed against the appellant, as alleged in the F.I.R., let the appellant, above named, in the event of his arrest or 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) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST-cum-Additional District and Sessions Judge, Vaishali at Hajipur, in connection with Hajipur Town P.S. Case No.918 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 have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the appellant. 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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