

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2473 of 2025

Arising Out of PS. Case No.-94 Year-2025 Thana- VIJAYEPUR District- Gopalganj

1. Deepak Kumar Singh @ Deepak Singh S/o- Late Subhash Singh Village- Suaraha Ps- Vijaipur Dist- Gopalganj
2. Niraj Kumar Singh @ Niraj Singh S/o- Late Subhash Singh Village- Suaraha Ps- Vijaipur Dist- Gopalganj

... .. Appellant/s

Versus

1. The State of Bihar
2. Rajesh Kumar Prasad S/o- Late Babulal Prasad Village- Suaraha Ps- Vijaipur Dist- Gopalganj

... .. Respondent/s

Appearance :

For the Appellants	:	Mr. Ajay Kumar Thakur, Adv. Mrs. Vaishnavi Singh, Adv. Mr. Ritwik Thakur, Adv.
For the State	:	Mr. Sadanand Paswan, Spl.P.P.
For the R.No.2	:	Mr. Akshay Lal Pandit, Adv. Mr. Arvind Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-08-2025 Heard learned counsel for the appellant, learned Special P.P. for of the State and learned counsel appearing on behalf of respondent no. 2.

2. This appeal has been filed against the order dated 12.06.2025 passed by learned Additional Sessions Judge XI-cum-Special Judge, SC/ST Act, Gopalganj in connection with Vijaipur P.S. Case No. 94 of 2025, registered under Sections 126(2), 115(2), 119(1), 308(2), 303(2), 3(5) of the B.N.S., 2023 and Section 3(1)(घ), 3(1)(द) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (for short “SC/ST Act”), whereby the prayer for anticipatory bail of appellants has been



rejected.

3. As per the FIR, on 05.04.2025 at about 3 PM, these two appellants alongwith co-accused Shivam Singh came on a motorcycle at the door of informant and demanded *Rangdari* of Rs. 50,000/-and on protest, the accused persons abused him by caste name and assaulted with fists & slaps. It is further alleged that co-accused Shivam Singh assaulted informant with iron rod, whereas appellant no. 2 pointed pistol on the informant and appellant no. 1 snatched Rs. 22,000/- from the pocket of informant.

4. Learned counsel for the appellants submits that as per F.I.R. itself, specific accusation of assault with iron rod is against co-accused Shivam Singh and so far as these appellants are concerned appellant no. 1 snatched cash from pocket of informant and appellant no. 2 pointed pistol on temporal region of informant. He further submits that on account of land dispute between the parties, *Maarpeet* took place in which both sides sustained injury. Case and counter case. There is general and omnibus allegation against appellants. Rest of the allegation is ornamental. He next submits that it is not the case of the informant that at the time of alleged occurrence, any public was present and as such, no case under the SC/ST Act is made out.



5. Learned Spl. Public Prosecutor for the State and learned counsel for informant vehemently opposed the appeal.

6. However, considering the aforesaid facts and circumstances, the impugned order dated 12.06.2025, so far as appellants are concerned, is, hereby, set aside and this criminal appeal is allowed.

7. Let the appellants, as named above, in the event of arrest or surrender within a period of eight weeks from today, be enlarged on 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 Additional Sessions Judge XI-cum-Special Judge, SC/ST Act, Gopalganj in connection with Vijaipur P.S. Case No. 94 of 2025.

(Prabhat Kumar Singh, J)

anay

U		T	
---	--	---	--

