

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2467 of 2025

Arising Out of PS. Case No.-18 Year-2025 Thana- SC/ST District- Kaimur (Bhabua)

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1. Pankaj Bind @ Pankaj Kumar S/o Vijay Bind R/v- Sirbit, P.S- Chainpur, Dist- Kaimur
 2. Naga Bind @ Lagadu Bind @ Sant Kumar S/o Shio Narain Bind R/v- Sirbit, P.S- Chainpur, Dist- Kaimur
 3. Bacha Bind @ Bachcha Bind S/o Nebul Bind R/v- Sirbit, P.S- Chainpur, Dist- Kaimur
 4. Binkesh Bind @ Ranjit Kumar @ Bakedash Kumar S/o Kumar Bind R/v- Sirbit, P.S- Chainpur, Dist- Kaimur
 5. Lalu Bind @ Sushil Kumar @ Lalu S/o Narad Bind R/v- Sirbit, P.S- Chainpur, Dist- Kaimur

... .. Appellant/s

Versus

1. The State of Bihar
2. Ashok Gond S/o Late Kharu Gond R/v- Sirbit, P.S- Chainpur, Dist- Kaimur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Rakesh Kumar Mishra
For the Respondent/s	:	Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

7 24-12-2025 1. Heard learned counsel for the appellants and the learned Special P.P. Mr. Sadanand Paswan and the learned counsel appearing on behalf of the informant.

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 21.05.2025 in A.B.P. No. 944/2025, arising out of SC/ST P.S. Case No.18/2025, passed by the learned 1st



Additional District and Sessions Judge-cum-Special Judge, Kaimur at Bhabua, registered under Sections 329(3), 191(2), 190, 126(2), 115(2), 109(1), 352, 351(2), 351(3) of the BNS as well as Sections 3(1)(r)(s), 3(2)(v) of the SC/ST Act.

3. Learned counsel for the appellants submits that the appellants are persons with clean antecedent and the informant alleges that on 19.04.2025, in the night, all of a sudden, the accused persons including the appellants came and on order of Lalu Bind, who was carrying gun in his hand, the accused persons started assaulting and Wakil Bind assaulted him by hockey stick on head causing injury, thereafter Ravi Bind assaulted Dipu by hockey stick causing injury on head and when Guddu Gond came to save them, Satyendra assaulted him by rod causing injury on head, thereafter the police was informed and the accused fled.

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 no reason for the occurrence is alleged. It is next submitted that it does not appear probable that all of a sudden in the night all the accused persons would have gone to the house of the informant for



abusing and assaulting. It is next submitted that from the side of the appellants also Chainpur P.S. Case No.195/2025 has been instituted against the informant and his side, wherein it is alleged that informant and his side were playing DJ music in the night which was objected by the side of the appellants, in which, an altercation took place and the side of the appellants were assaulted by the side of the informant. It is also submitted that even presuming what has been alleged to be true without admitting then the appellants are not alleged to have assaulted and as far as allegation of abuse is alleged, the same is general and omnibus in nature. It is also submitted that in the nature of allegation, prima facie, no offence under the SC/ST Act is made out against the appellants, as the occurrence is not alleged to have been committed in public place.

5. Learned Special Public Prosecutor and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the appellants but then the learned counsel appearing on behalf of the informant is not in a position to rebut the submission of the learned counsel appearing on behalf of the appellants that no specific allegation of assault is alleged against the appellants and the allegation of abuse is general and omnibus in nature and the entire occurrence took



place at the house of the informant and thus was not in public view.

6. Considering the submission of the learned counsel for the appellants, the order impugned is set aside. Let the appellants, above named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.5,000/- (rupees five thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 482(2) of the BNSS.

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

(Satyavrat Verma, J)

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