

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3123 of 2024

Arising Out of PS. Case No.-41 Year-2024 Thana- SAKSOHRA District- Patna

-
1. Ashok Singh @ Ashok Kumar Son of Mahendra Singh Resident of village - Andauli, P.S.- Saksohra, District - Patna.
 2. Sajjan Kumar Son of Ashok Singh Resident of village - Andauli, P.S.- Saksohra, District - Patna.
 3. Rahul Kumar Son of Ajay Singh Resident of village - Andauli, P.S.- Saksohra, District - Patna.

... .. Appellant/s

Versus

1. The State of Bihar
2. Nirmala Devi Wife of Babloo Paswan Resident of Village - Andauli, P.S.- Saksohra, District - Patna.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Abhimanyu Deo, Advocate
For the Respondent/s : Ms. Usha Kumari 1, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 04-11-2025 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

2. This appeal has been preferred against the order dated 12.06.2024 passed by the learned Special Judge, S.C./S.T. Act, Patna Sadar, Patna in connection with Saksohra P.S. Case No. 41 of 2024, registered for the offences under Sections 323, 341, 354, 504, 506 and 34 of the Indian Penal Code and Section 3(i)(r)(s)(w) of the S.C./S.T. (Prevention of Atrocities) Act.

3. As per the prosecution case, the informant was abused and assaulted by the appellants.



4. Learned counsel for the appellants submits that the allegations made in the F.I.R. are general and omnibus in nature, and the appellants have been falsely implicated in this case. It is further submitted that no offence under the provisions of the S.C./S.T. (Prevention of Atrocities) Act is made out against the appellants. Hence, the application for anticipatory bail is maintainable. He further relies upon the judgments of the Hon'ble Supreme Court in ***Kiran vs. Rajkumar Jivraj Jain and Anr.***, reported in ***2025 INSC 1067***, and ***Hitesh Verma vs. State of Uttarakhand***, reported in ***(2020) 10 SCC 710***.

5. Learned counsel for the informant has opposed the prayer for bail.

6. From a perusal of the F.I.R., it appears that due to a trivial dispute, the occurrence took place, and it does not appear that the alleged offence was committed against the informant on the ground that she belongs to the S.C./S.T. community.

7. In these circumstances, and considering the law laid down by the Hon'ble Supreme Court in ***Kiran Vs. Rajkumar Jivraj Jain and Anr. (supra)*** and ***Hitesh Verma Vs. State of Uttarakhand (supra)***, this application for anticipatory bail is held to be maintainable.

8. Considering the rival submissions of the parties,



this appeal is allowed, and accordingly, the order dated 12.06.2024 passed by the learned Special Judge, S.C./S.T. Act, Patna Sadar, Patna in connection with Saksohra P.S. Case No. 41 of 2024 is set aside.

9. Let the appellants, in the event of their arrest or surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, S.C./S.T. (P.O.A.) Act, Patna Sadar, Patna/ concerned Court below in connection with Saksohra P.S. Case No. 41 of 2024, subject to the conditions laid down under Section 438(2) of the Code of Criminal/ Section 482(2) of the B.N.S.S.

(Sandeep Kumar, J)

Neha/-

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

