

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2620 of 2025

Arising Out of PS. Case No.-125 Year-2025 Thana- LALGANJ District- Vaishali

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Nandan Kumar, S/O Ravindra Ray, R/O Village- Lakhan Saray Noor (Lakhan Sarai), P.S.- Lalganj, District- Vaishali

... .. Appellant/s

Versus

1. The State of Bihar
2. Bablu Paswan, S/O Lalsingh Paswan, R/O Village- Lakhan Sarai (Vishundeo Basdev), P.S.- Lalganj, District- Vaishali at Hajipur.

... .. Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 20-11-2025 Heard learned counsel for the appellant and learned
Spl. P.P. for the State.

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 05.05.2025 passed by the learned Exclusive Special Judge S.C./S.T. Act-cum- District & Additional Sessions Judge, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 125 of 2025 registered for the offences punishable under Sections 191(2), 190, 126, 115(2), 118, 109, 75, 303(2), 324(4), 352 and 351(3) of the B.N.S. as well as Section 3(1)(r)(s) of the



SC/ST(POA) Act.

3. The case of the prosecution, in short, is that on 14.03.2025, the appellant along with others and other 10 unknown persons being armed with *hasua*, *farsa* and iron rod arrived at the house of the respondent, abused with caste name and on being objected, started assaulting.

4. Learned counsel for the appellant submits that the appellant has been falsely implicated in the instant case. He is innocent and committed no offence. From perusal of the F.I.R., it is clear that there is no specific allegation of any overt act against this appellant. The allegation of assaulting is against Prem Ray and others.

5. Learned Spl. P.P. for the State has also conceded that there is no specific allegation against this appellant.

6. In view of the submissions made by the learned counsel for the appellant, the order dated 05.05.2025 passed by the learned Exclusive Special Judge S.C./S.T. Act-cum-District & Additional Sessions Judge, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 125 of 2025 is hereby set aside and the appellant above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing



bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Lalganj P.S. Case No. 125 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. Accordingly the appeal stands allowed.

(Ashok Kumar Pandey, J)

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