

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3230 of 2024

Arising Out of PS. Case No.-58 Year-2024 Thana- PIPRA District- East Champaran

1. Baban Singh Son of Late Prasad Singh R/O Vill.- Narayan Pakri, P.s.- Pipra, Dist.- East Champaran
2. Suzuki Singh @ Sumit Kumar Singh @ Sumit Kumar Son of Rambabu Singh R/O Vill.- Narayan Pakri, P.s.- Pipra, Dist.- East Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Arjun Kumar Mathur Son of Sri Baitha R/O Vill.- Narayan Pakri, P.s.- Pipra, Dist.- East Champaran

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Krishna Kant Singh, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl. Public Prosecutor
For the R. No. 2	:	Ms. Urmila Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 19-11-2025 Heard learned counsel for the appellants, respondent no. 2 and the State.

2. This appeal has been filed against the order dated 26.06.2024 passed by learned Special Judge, SC/ST, East Champaran in ABP No. 2693 of 2024 arising out of Pipra P.S. Case No. 58 of 2024 registered under Sections 341, 323, 324, 307, 504, 506, 354B, 34 of the Indian Penal Code and Section 3(i)(r)(s), 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellants has been rejected.

3. As per F.I.R., appellant no. 1 along with other



accused persons assaulted informant with *lathi* and appellant no. 2 is alleged to have assaulted aunt of the informant with *lathi*.

4. Learned counsel for the appellants submits that though appellant no. 1 along with four named and 8-10 unknown accused persons are alleged to have assaulted the informant but he sustained only two injuries which itself falsifies the prosecution case. Injury caused by appellant no. 2 is simple in nature. It is not the case of informant that alleged incident occurred within public view as such, no case under SC/ST Act is made out against the appellants. It is further submitted that similarly situated co-accused, namely, Lalan Singh has already been granted anticipatory bail by co-ordinate Bench of this Hon'ble Court *vide* order dated 29.08.2024 passed in Cr. Appeal (SJ) No. 2568 of 2024.

5. Learned Spl. Public Prosecutor for the State as well as learned counsel for the respondent no. 2 vehemently opposed the bail application.

6. Considering the aforesaid facts, let the appellants, as named above, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of



learned Special Judge, SC/ST, East Champaran in ABP No. 2693 of 2024 arising out of Pipra P.S. Case No. 58 of 2024.

7. Accordingly, this criminal appeal is allowed and impugned order dated 26.06.2024 is set aside with respect to these appellants only.

(Prabhat Kumar Singh, J)

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