

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3720 of 2024

Arising Out of PS. Case No.-132 Year-2024 Thana- WARISNAGAR District- Samastipur

Md. Shahid son of Md. Nasim @ Md. Naseem Village- Rampur, Ps- Waris
nagar, Samastipur,

... .. Appellant/s

Versus

1. The State of Bihar
2. Rajesh Kumar Ranjan son of Shri Upendra Ram Village- Rampur, Ps- Waris
nagar, Samastipur,

... .. Respondent/s

with

CRIMINAL APPEAL (SJ) No. 3413 of 2024

Arising Out of PS. Case No.-132 Year-2024 Thana- WARISNAGAR District- Samastipur

MD. NAZIM @ NIJAM HUSSAIN @ NIJAM @ NAJIM @ NIJAAM
HUSAIN MD. JASIM R/V- ROHUA PASCHIMI, P.S.- WARISNAGAR,
DISTT.- SAMASTIPUR

... .. Appellant/s

Versus

1. The State of Bihar
2. RAJESH KUMAR RANJAN SON OF UPENDRA RAM R/V- RAMPUR
P.S.- WARISNAGAR, DISTT.- SAMASTIPUR

... .. Respondent/s

with

CRIMINAL APPEAL (SJ) No. 3473 of 2024

Arising Out of PS. Case No.-132 Year-2024 Thana- WARISNAGAR District- Samastipur

1. MD. OSAID SON OF MD. AKHTAR @ MD. AKHATAR R/V- RAMPUR,
P.S.- WARISNAGAR, DISTT.- SAMASTIPUR
2. MD. GUDDU SON OF MD. SHOYEB @ MD. SUAIB R/V- ROHUA
PASCHIMI, P.S.- WARISNAGAR, DISTT.- SAMSTIPUR

... .. Appellant/s

Versus

1. The State of Bihar
2. RAJESH KUMAR RANJAN SON OF UPENDRA RAM R/V- RAMPUR,
P.S.- WARISNAGAR, DISTT.- SAMASTIPUR

... .. Respondent/s



Appearance :

(In CRIMINAL APPEAL (SJ) No. 3720 of 2024)

For the Appellant/s : Mr. Piyush Kumar Pandey, Advocate

For the State : Mr. Binay Krishna, Spl. P.P.

For the Informant : Mr. Mukesh Kumar No. 1, Advocate

(In CRIMINAL APPEAL (SJ) No. 3413 of 2024)

For the Appellant/s : Mr. Mahendra Pratap, Advocate

For the State : Mr. Binay Krishna, Spl. P.P.

For the Informant : Mr. Mukesh Kumar No. 1, Advocate

(In CRIMINAL APPEAL (SJ) No. 3473 of 2024)

For the Appellant/s : Mr. Mahendra Pratap, Advocate

For the State : Mr. Binay Krishna, Spl. P.P.

For the Informant : Mr. Mukesh Kumar No. 1, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 07-11-2025 Heard learned counsel for the appellants, learned Special Public Prosecutor for the State and learned counsel for the informant.

2. This appeal has been preferred against the order dated 01.07.2024 passed by the learned Special Judge, S.C./S.T. (POA) Act, Samatipur in connection with A.B.P. No. 1653 of 2024 arising out of Waris Nagar P.S. Case No. 132 of 2024, registered for the offences under Sections 341, 323, 354, 379, 504 and 34 of the Indian Penal Code and Sections 3(i)(r) and 3(i)(s) of the S.C./S.T. (Prevention of Atrocities) Act.

3. As per the prosecution case, the occurrence is said to have taken place over a trivial dispute.

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 the cases of ***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 FIR, it does not appear that the alleged offence was committed against the informant on the ground that he 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 01.07.2024 passed by the learned Special Judge, S.C./S.T. (POA) Act, Samatipur in connection with A.B.P. No. 1653 of



2024 arising out of Waris Nagar P.S. Case No. 132 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.) Act, Samastipur/ concerned Court below in connection with Warisnagar P.S. Case No. 132 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)

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