

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2910 of 2025

Arising Out of PS. Case No.-243 Year-2025 Thana- HARNAUT District- Nalanda

1. Sonu Kewat S/o Shravan Kewat R/o Village- Mushahari, P.S.- Harnaut (Chero), District- Nalanda, Bihar
2. Anil Kewat S/o Dano Kewat R/o Village- Mushahari, P.S.- Harnaut (Chero), District- Nalanda, Bihar

... .. Appellant/s

Versus

1. The State of Bihar
2. Mallu Manjhi S/o Late Bangali Manjhi Resident of Gram- Nemchand Bag, Post- Birju Milki, P.S.- Chero, District- Nalanda, Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Mrityunjay Kumar, Adv.
For the Respondent/s	:	Mr. Binay Krishna, Spl.P.P.
For the Informant/s	:	Mrs. Dimpal Kumari, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 19-09-2025 Heard learned counsel for the appellants and learned counsel for the informant as well as learned Special Public Prosecutor 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 in short referred to as the SC/ST Act) against the refusal of prayer of bail *vide* order dated 08.07.2025 passed by the learned Additional District and Sessions Judge-Vith-cum-Special Judge, SC/ST Act, Bihar Sharif, Nalanda in connection with Harnaut (Chero) P.S. Case No. 243 of 2025 dated 20.05.2025 registered for the



offence/s punishable u/ss 191(2), 193(1), 190, 115(2), 109, 118(1), 351(2) and 351(3) of B.N.S., Section 27 of Arms Act and Section 3(1)(r)(s), 3(2)(v) of SC & ST Act.

3. As per the prosecution case, when the informant was selling vegetable, in the meantime, the appellants and the co-accused persons came and started bargaining on which the accused persons started threatening and assaulting the informant. Further they called 30-40 persons from his village and entered his house firing pistol, thereafter all the accused brutally assaulted on the head, legs and hands of the informant's relatives due to which they sustained severe injuries.

4. Learned counsel for the appellants has submitted that the appellants have falsely been implicated in this case due to ulterior motive. There is a case and counter-case between the parties. The appellant no.2 is not named in the FIR. The name of the appellant no.2 was transpired in this case during the course of investigation. There is no specific allegation against the appellants rather the allegation of assault against the appellants are general and omnibus in nature. It is further submitted that from perusal of the injury report of the injured, Chanirak Manjhi, it appears that he sustained lacerated wound on mid posterior parietal region 2x1/3x1/3 cm which is grievous in



nature and other injured sustained simple injury. There is no allegation of abuse against the appellants and hence, no offence under the provisions of SC/ST Act is made out against the appellants. The appellants have no criminal antecedent as stated at para 3 of the bail petition. The appellants are in custody since 22.05.2025.

5. Learned Spl.P.P. for the State as well as learned counsel for the informants have vehemently opposed the prayer of bail.

6. In view of the aforesaid facts and circumstances of the case as well as finding substance in the contention of the learned counsel for the appellants, the impugned order dated 08.07.2025 passed by the learned Additional District and Sessions Judge-Vith-cum-Special Judge, SC/ST Act, Bihar Sharif, Nalanda in connection with Harnaut (Chero) P.S. Case No. 243 of 2025 is set aside against the appellants. The criminal appeal is allowed.

7. Accordingly, the above named appellants, are directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-Vith-cum-Special Judge,



SC/ST Act, Biharsharif, Nalanda in connection with Harnaut
(Chero) P.S. Case No. 243 of 2025.

(Chandra Prakash Singh, J)

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