

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.3682 of 2024**

Arising Out of PS. Case No.-68 Year-2024 Thana- VIDYAPATINAGAR District- Samastipur

Balgovind Singh Son of Nawal Kishore Singh R/O Vill.- Harpur Bochaha,  
P.S.- Vidyapatinagar, Dist.- Samastipur.

... .. Appellant/s

Versus

1. The State of Bihar
2. Fakeera Das Son of Late Naya Das R/O Vill.- Khanua, P.S.- Vidyapatinagar,  
Dist.- Samastipur.

... .. Respondent/s

**Appearance :**

|                     |   |                               |
|---------------------|---|-------------------------------|
| For the Appellant/s | : | Mr. Mahendra Pratap, Advocate |
| For the State       | : | Mr. Binay Krishna, Spl. P.P.  |
| For the Informant   | : | Mr. Dharendra Singh, Advocate |

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

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

2. This appeal has been preferred against the order dated 09.07.2024 passed by the learned Special Judge, S.C./S.T. (P.O.A.) Act, Samastipur in connection with Vidyapatinagar P.S. Case No. 68 of 2024, registered for the offences under Sections 341, 323, 379, 504 and 506 of the Indian Penal Code and Sections 3(1)(r)(s) and 3(2)(va) of the S.C./S.T. (Prevention of Atrocities) Act.

3. As per the prosecution case, the allegation against the appellant is of committing theft of the informant's centering



material, assaulting him by putting a muffler around his neck, and abusing him by taking his caste name.

4. Learned counsel for the appellant submits that the allegations made in the F.I.R. are general and omnibus in nature, and the appellant has 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 appellant. 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 09.07.2024 passed by the learned Special Judge, S.C./S.T. (P.O.A.) Act, Samastipur in connection with Vidyapatinagar P.S. Case No. 68 of 2024 is set aside.

9. Let the appellant, in the event of his 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, Samastipur/ concerned Court below in connection with Vidyapatinagar P.S. Case No. 68 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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