

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3861 of 2024

Arising Out of PS. Case No.-91 Year-2024 Thana- ROHTAS District- Rohtas

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1. Ravindra Kumar Singh @ Ravindra Kumar Patel Son Of Rajaram Singh Resident Of Village- Uchaila, Ward No.- 09, Police Station- Rohtas, Rohtas (Sasaram)
 2. Dharmendra Kumar Singh @ Gorakh Son Of Rajaram Singh Resident Of Village- Uchaila, Ward No.- 09, Police Station- Rohtas, Rohtas (Sasaram)

... .. Appellant/s

Versus

1. The State Of Bihar
2. Nandan Kumar Son Of Rajendra Ram Resident Of Village- Govindapur, Ward No.- 09, Police Station- Rohtas, Rohtas (Sasaram), Pin Code-221311

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Saroj Kumar, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. PP
		Mr. Madhuresh Singh, Advocate
		Mr. Dipak Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 12-11-2025 Heard learned counsel for the appellants, the learned
Spl. P.P. for the State and the learned counsel for the informant.

2. This appeal is preferred against the order dated 03.08.2024 passed by the learned District and Additional Sessions Judge-17th-cum-Special Judge, SC/ST Act, Rohtas at Sasaram in Rohtas P.S. Case No. 91 of 2024 registered for the offence under Sections 341, 323, 504, 506, 379/34 of the Indian Penal Code and under Sections 3(i)(r), 3(i)(s), 3(i)(v) and 3(i)(ii) of the SC/ST Act, by which the prayer of the appellants for anticipatory bail was rejected.



3. As per the prosecution case, the appellants are accused of assaulting the informant and abusing him by taking his caste name.

4. Learned counsel for the appellants submits that the appellants have falsely been implicated in this case and no offence under the provisions of SC/ST Act is made out in this case and therefore, this anticipatory bail application is maintainable. He further submits that for a trivial dispute, the parties have fought and there is case and counter case.

5. Learned counsel for the State and the learned counsel for the informant have opposed the prayer of the appellants.

6. From the reading of the entire FIR, it does not appear that offence has been committed against the informant on the ground that he is a member of SC/ST community and the same appears to be a *mala fide* prosecution.

7. In these circumstances, in the opinion of this Court, this application for grant of anticipatory bail is maintainable.

8. Considering the rival submissions of the parties and the facts of the case, the appeal stands allowed. Accordingly, the order dated 03.08.2024 passed by the learned District and Additional Sessions Judge-17th-cum-Special Judge, SC/ST Act,



Rohtas at Sasaram in Rohtas P.S. Case No. 91 of 2024 is hereby 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 District and Additional Sessions Judge-17th-cum-Special Judge, SC/ST Act, Rohtas at Sasaram in Rohtas/concerned Court below in connection with Rohtas P.S. Case No. 91 of 2024, subject to the conditions laid down under Section 438(2) of the Cr. P.C./ Section 482(2) of the BNSS.

(Sandeep Kumar, J)

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