

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3208 of 2025

Arising Out of PS. Case No.-151 Year-2024 Thana- VIDYAPATINAGAR District-
Samastipur

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Sikandar Ray @ Lutan Ray Son of Late Ramswarath Ray @ Ram Swarath
Ray @ Sogarath Ray Village- Banghraha P.O -Kancha P.S- Vidyapatinagar
District -Samastipur Bihar 848503

... .. Appellant/s

Versus

1. The State of Bihar
2. Maheshwar Ray son of Late ShreeChand Ray Village- Banghraha P.O
-Kancha P.S- Vidyapatinagar District -Samastipur Bihar 848503

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Abhigyan Kumar
For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 23-12-2025 Heard learned counsel for the appellant and the

learned Spl. P.P. for the State.

2. This appeal is preferred against the order dated
12.06.2025 passed by the learned Special Judge, SC/ST Act,
Samastipur in ABP No. 1323 of 2025 arising out of
Vidyapatinagar P.S. Case No. 151 of 2024 registered for the
offence under Sections 281, 125(a) and 125(b) of the Bharatiya
Nyaya Sanhita, 2023 and Section 3(1)(r)(s) and 3(2) (va) of the
SC/ST Act by which the prayer of the appellant for anticipatory
bail was rejected.

3. As per the prosecution case, the appellant is
accused of driving a Tata Magic Van rashly and negligently and



he is said to have hit the informant's sons and fled away. It is alleged that even during the treatment, the appellant was abusing the informant with caste slurs.

4. Learned counsel for the appellant submits that the appellant has falsely been implicated in this case and no offence under the provisions of SC/ST Act is made out in this case and therefore the application of the anticipatory bail is maintainable. He further submits that there is an unexplained delay of approximately 15 days. The appellant has a valid driving license.

5. Learned counsel for the State and the learned counsel for the informant have vehemently 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 victim on the ground that they are 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, this appeal stands allowed. Accordingly, the order dated 12.06.2025 passed by the learned Special Judge,



SC/ST Act, Samastipur in ABP No. 1323 of 2025 arising out of Vidyapatinagar P.S. Case No. 151 of 2024 is hereby 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) with two sureties of the like amount each to the satisfaction of the learned concerned Court below in connection with Vidyapatinagar P.S. Case No. 151 of 2024, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the BNSS.

(Sandeep Kumar, J)

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