

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3966 of 2024

Arising Out of PS. Case No.-214 Year-2024 Thana- GOVINDGANJ District- East
Champaran

=====

Raviprakash Singh Son of Ramrup Singh Resident of Village - Mura, Ward
No.10, P.S. - Govindaganj, District - East Champaran

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

=====

Appearance :

For the Appellant/s	:	Mr. Abhishek Kumar, Advocate
For the Respondent/s	:	Ms/Mrs. Usha Kumari 1, Spl. PP
		Mr. Md Fazle Karim

=====

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 12-11-2025 Heard learned counsel for the appellant, the learned

Spl. P.P. for the State including the learned counsel for the

informant.

2. This appeal is preferred against the order dated
05.07.2024 passed by the learned Special Judge, SC/ST Act,
East Champaran at Motihari in ABP No. 2700 of 2024 arising
out of Govindganj P.S. Case No. 214 of 2024 registered for the
offence under Sections 147, 149, 341, 323, 307, 379, 504, 506
of the Indian Penal Code and under Sections 3(i)(r), 3(i)(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 said to
have attempted to grab the neck of the victim with an intention



to kill him and the appellant is also accused of abusing the informant and his father by taking caste name.

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 for political difference, the parties have fought and the allegations levelled against the appellant appears to be false. The appellant claims clean antecedent.

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 informant and his family members 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 maintainable.

8. Considering the rival submissions of the parties and the facts of the case, this appeal stands allowed. Accordingly, the order dated 05.07.2024 passed by the learned Special Judge,



SC/ST Act, East Champaran at Motihari in ABP No. 2700 of 2024 arising out of Govindganj P.S. Case No. 214 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 Special Judge, SC/ST Act, East Champaran at Motihari /concerned Court below in connection with Govindganj P.S. Case No. 214 of 2024, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the BNSS.

10. At the time of accepting the bail bonds of the appellant, the Court below shall verify the fact whether the appellant has clean antecedent or not. If it is found that the appellant has clean antecedent then only his bail bonds shall be accepted by the Court below.

(Sandeep Kumar, J)

Shishir/-

U			
---	--	--	--

