

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3305 of 2025

Arising Out of PS. Case No.-226 Year-2024 Thana- CHANDRADIP District- Jamui

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1. Karu Singh @ Jitendra Singh @ Jitendra Prasad Singh S/O Late Jagdish Singh R/O Vill.- Begwa, P.S.- Chandradeep, Dist.- Jamui
 2. Dharendra Singh @ Dharendra Kumar Singh @ Dipu Singh S/O Late Jagdish Singh R/O Vill.- Begwa, P.S.- Chandradeep, Dist.- Jamui

... .. Appellant/s

Versus

1. The State Of Bihar Bihar
2. Champa Devi W/O Late Ram Lakhan Das R/O Vill.- Bhaluana, P.S.- Chandradeep, Dist.- Jamui

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ajay Kumar Thakur, Advocate Mr. Ritwik Thakur, Advocate Mrs. Vaishnavi Singh
For the Respondent/s	:	Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 23-12-2025 Heard learned counsel for the appellants and the learned Spl. P.P. for the State as well as the learned counsel for the informant.

2. This appeal is preferred against the order dated 04.08.2025 passed by the learned District and Additional Sessions Judge-1-cum-Special Judge, SC/ST (POA)Act, Jamui passed in ABP No. 1150 of 2025 arising out of Chandradeep P.S. Case No. 226 of 2024 registered for the offence under Sections 103(1), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and under Sections 3(2)(va) 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 and killing the deceased. During investigation, independent witnesses have said that the deceased and the accused persons were riding a motorcycle and there was an accident in which the deceased sustained injuries and died.

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.

5. Learned counsel for the State and the learned counsel for the informant have opposed the prayer of the appellants. The learned counsel for the informant has submitted that considering the fact that the external injuries have been sustained by the deceased, it is not a fit case for grant of anticipatory bail.

6. From the post-mortem report, it appears that the deceased had sustained only bruises and there is no injury of assault etc., to show that the deceased was killed by the appellants and others.

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 04.08.2025 passed by the learned District and Additional Sessions Judge-1-cum-Special Judge, SC/ST (POA)Act, Jamui passed in ABP No. 1150 of 2025 arising out of Chandradeep P.S. Case No. 226 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-I-cum-Special Judge, SC/ST (POA)Act, Jamui/concerned Court below in connection with Chandradeep P.S. Case No. 226 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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