

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4096 of 2023

Arising Out of PS. Case No.-135 Year-2021 Thana- KONCH District- Gaya

Bablu Singh @ Bablu Kumar, Son Of Ravindra Singh Resident Of Village-
Jaitiya, Ps- Konch, Distt- Gaya

... .. Appellant/s

Versus

1. The State Of Bihar
2. Gautam Prashant Son Of Surendra Paswan Resident Of Village- Jaitiya, Ps-
Konch, Distt- Gaya

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

8 08-10-2025 1. Heard learned counsel for the appellant and the
learned Special Public Prosecutor for the State.

2. The appellant has challenged the order dated
15.09.2021 passed by the learned Exclusive Special Judge
SC/ST, Gaya in connection with ABP No.2573 of 2021-127 of
2021 arising out of Konch P. S. Case No.135 of 2021, instituted
for the offences under Sections 147, 148, 149, 341, 323, 325,
307, 504, 506 of the Indian Penal Code and Section 3(i)(r)(s) of
the Scheduled Castes & Scheduled Tribes (Prevention of
Atrocities) Act, whereby his prayer for grant of anticipatory bail
has been rejected.

3. The learned counsel appearing on behalf of the



appellant submits that notices were issued on respondent no.2 and the same was received by his cousin brother. It is next submitted that an application of jointness has been filed.

4. Considering the submission that the notice is deemed to be validly served. It is further submitted that appellant is a person with clean antecedent and the informant alleges that on 01.04.2021, all accused persons along with appellant came variously armed and assaulted the informant causing several injuries including head injury and fracture of left hand and other bodily injuries. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that specific allegation of assaulting the informant is against Munna Singh, Ranjit, Pappu, Bholi, Buta, Pankaj Singh, while Rajnish and Satish are alleged to have assaulted his mother.

5. The learned counsel appearing on behalf of the appellant further submits that no specific allegation of assault is alleged against the appellant and the occurrence took place at the house of the informant and thus, was not in public view, nor the FIR even remotely suggests that the occurrence was witnessed by any independent witnesses.

6. The learned Special P. P. opposes the bail application, but then, is not in a position to rebut the submission



of the learned counsel appearing on behalf of the appellant that no specific allegation of assault is alleged against him.

7. Regard being had to the aforesaid submissions, the order dated 15.09.2021 is set-aside.

8. The appeal stands allowed.

9. The appellant, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge SC/ST, Gaya in connection with ABP No.2573 of 2021-127 of 2021 arising out of Konch P. S. Case No.135 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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