

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4088 of 2024

Arising Out of PS. Case No.-95 Year-2023 Thana- SC/ST District- Rohtas

Rajesh Singh @ Rajesh Kumar Son of Hirdanand Singh @ Shivani Singh
Village- Leva, Lewan, P.S.- Kachhawa, Dist.- Rohtas.

... .. Appellant/s

Versus

1. The State of Bihar
2. Lalan Ram Son of Late Naresh Ram R/O Vill.- Kechua, P.S.- Karakat,
Godari, Dist.- Rohtas.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Pramod Kumar Singh, Advocate
For the State	:	Ms. Usha Kumari 1, Spl. P.P.
For the Informant	:	Mr. Shakil Ahmad Khan, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 12-11-2025 Heard learned counsel for the appellant, learned

Special Public Prosecutor for the State and learned counsel for

the informant.

2. This appeal has been preferred against the order dated 26.07.2024, passed by the learned Additional District & Sessions Judge-XVII-cum-Special Judge, S.C./S.T. Act, Sasaram, Rohtas, in connection with S.C./S.T. Dehri P.S. Case No. 95 of 2023, registered for the offences under Sections 341, 323, 379, 504, 506, and 34 of the Indian Penal Code and Section 3(2)(va) of the S.C./S.T. (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of the appellant was rejected.

3. As per the prosecution case, the allegation is that on



22.12.2023, the appellant and others abused the informant by taking his caste name, assaulted him and his son over a money dispute, snatched Rs. 35,000/- and threatened to kill him.

4. Learned counsel for the appellant submits that the appellant has been falsely implicated in this case and that no offence under the provisions of the S.C./S.T. Act is made out.

5. Learned counsel for the informant has vehemently opposed the prayer for anticipatory bail.

6. From the reading of the F.I.R., it appears that the dispute arose over money and a mala fide prosecution has been lodged under the S.C./S.T. Act. It does not appear that the alleged occurrence was committed on the ground of the informant's caste.

7. In these circumstances, this application for grant of anticipatory bail is held to be maintainable.

8. Considering the rival submissions of the parties and upon perusal of the record, this appeal is allowed, and accordingly, the order dated 26.07.2024, passed by the learned Additional District & Sessions Judge-XVII-cum-Special Judge, S.C./S.T. Act, Sasaram, Rohtas, in connection with S.C./S.T. Dehri P.S. Case No. 95 of 2023, 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 Additional District & Sessions Judge-XVII-cum-Special Judge, S.C./S.T. Act, Sasaram, Rohtas / concerned court below, in connection with S.C./S.T. Dehri P.S. Case No. 95 of 2023, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sandeep Kumar, J)

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