

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4176 of 2024

Arising Out of PS. Case No.-21 Year-2024 Thana- SC/ST District- Begusarai

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1. Natho Prasad Gupta @ Natho Gupta S/O Late Ram Jatan Das
 2. Rishi Kumar Gupta @ Raushan Kumar @ Righi Kumar
 3. Rabi Kumar Gupta @ Rabi Kumar
- Appellants no.2 and 3 are S/O Natho Prasad Gupta @ Natho Gupta,
All are Resident Of Bishnupur Chandni Chauk, P.S- Begusarai Town, Distt.- Begusarai.

... .. Appellant/s

Versus

1. The State of Bihar
2. Ram Chandra Das S/O Late Shri Jay Mangal Das R/O Bishnupur, Ward No. 43, P.S- Begusarai Town, Distt.- Begusarai

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Shashi Dhar Jha, Appellant
For the Respondent/s : Mr.Binay Krishna, Spl. PP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 12-11-2025 Heard learned counsel for the appellant and learned
Spl. PP for the State.

2. The appellant has preferred the appeal under Section 14(A)(2) of the SC/ST (POA) Act against the rejection of prayer for pre-arrest bail *vide* order dated 10.07.2024 passed by learned Exclusive Special Judge, SC/ST (POA) Act, Begusarai in connection with Begusarai SC/ST P.S. Case No. 21 of 2024 registered under Sections 341, 323, 504, 506/34 of the Indian Penal Code and Sections 3(i)(r)(s), 3(2)(va) of the SC/ST (POA) Act.



3. As per the allegation made in the F.I.R., the accused persons named therein including the appellant is said to have assaulted the informant by fists and kicks and also used caste narrated words against him, while he was objecting the accused persons from putting public road.

4. Learned counsel appearing on behalf of the appellant submitted that appellant is innocent and has falsely been implicated in the present case due to land dispute. He further submitted that the appellant has no concern with the aforesaid occurrence. The allegation levelled against the appellant is not specific rather general and omnibus in nature. Appellant has clean antecedent.

5. Learned Spl. PP for the State has opposed the prayer for grant of bail to the appellant.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the FIR and the impugned order, I find that allegation against the appellant is of having assaulted the informant by fists and kicks and also allegedly used caste narrated words against him. I find that all the sections areailable, except the allegation under SC/ST(POA) Act. The occurrence allegedly took place when the informant objected the accused persons from putting pillar on



public road and allegation being general and omnibus and not specific, the appellant, above named, is directed to be released on bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending in connection with Begusarai SC/ST P.S. Case No. 21 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C / 482 (2) of the BNSS.

7. Accordingly, the impugned order is set aside and appeal is allowed.

(Purnendu Singh, J)

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