

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3402 of 2025

Arising Out of PS. Case No.-69 Year-2025 Thana- SALIMPUR District- Patna

Shatyam Kumar @ Satyam Kumar @ Shashi Ranjan @ Shashi Rajan son of
Ram Binay Sharma Resident of Village -Karauta Police Station -Salimpur
District -Patna

... .. Appellant

Versus

1. The State of Bihar bihar
2. Veena Devi Wife of Late Vijendra Paswan Resident of Village -Karauta tola,
Police Station -Salimpur District -Patna

... .. Respondents

Appearance :

For the Appellant/s	:	Mr. Nilendu Kumar Choudhary, Advocate
For the Respondent/s	:	Mrs. Usha Kumari 1, Sp.P.P
For the Respondent No. 2	:	Mr. Gyan Sagar Mahto, Advocate

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 09-10-2025 Heard learned counsel for the appellant, learned
counsel for the respondent no. 2 and learned Special Public
Prosecutor for the State.

2. This is an appeal under Section 14A(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter in short referred to as the
SC/ST Act) against the refusal of prayer of bail *vide* order dated
07.08.2025 in Special Case No. 285 of 2025 passed by the
learned Exclusive Special Judge, SC/ST Act, Civil Court
(Sadar), Patna in connection with Salimpur P.S. Case No.
69/2025 dated 17.03.2025 registered for the offences punishable



u/s 126(1), 115(2), 109, 352, 351(2) read with Section 3(5) of the B.N.S. and Sections 3(1)(r)(s)/ 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. Later on Section 103 of the B.N.S. was added.

3. As per the prosecution case, the informant's husband went to the house of the co-accused, Subodh Singh to invite in the last feast ceremony of his uncle then the co-accused, Subodh Singh came out of his house and started abusing him by calling his caste name. When the informant's husband objected, the appellant and the others started assaulting the informant's husband with lathi, danda and rod due to which he sustained injuries. When the informant came to know about the said incident, she reached the place of occurrence and saw that her husband had received head injury and he was lying in pool of blood. The informant raised alarm then the local people came there and the informant's husband was taken to the hospital for treatment.

4. Learned counsel for the appellant has submitted that the appellant has falsely been implicated in this case due to ulterior motive. As per FIR, no member of public was present at the relevant point of time of the incident. Learned counsel has further submitted that no particular caste name has been called



by the appellant hence no case is made out under SC/ST Act. There is general and omnibus allegation against the appellant. There is a case and counter case between the parties. The informant is not the eye witness of this case. The other co-accused person has already been granted bail by this court vide order dated 22.08.2025 passed in Cr. Appeal (SJ) No. 2002/2025. The appellant has no criminal antecedent as stated at para 3 of the bail petition. The appellant is in custody since 27.05.2025.

5. Learned Spl. P.P. for the State and learned counsel for the respondent no. 2 have vehemently opposed the prayer of bail by submitting that the informant's husband died during the course of treatment.

6. In view of the aforesaid facts and circumstances of the case as well as finding substance in the contention of the learned counsel for the appellant, the impugned order dated 07.08.2025 in Special Case No. 285 of 2025 passed by the learned Exclusive Special Judge, SC/ST Act, Civil Court (Sadar), Patna in connection with Salimpur P.S. Case No. 69/2025 is set aside against the appellant. The criminal appeal is allowed.

7. Accordingly, the above named appellant, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/-



(Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, SC/ST Act, Civil Court (Sadar), Patna in connection with Salimpur P.S. Case No. 69/2025, with further condition:-

(i). The appellant is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the appellant are liable to be cancelled.

(Chandra Prakash Singh, J)

Atul/-

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