

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4173 of 2024

Arising Out of PS. Case No.-17 Year-2024 Thana- SC/ST District- Bhojpur

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1. Mridul Kumar Singh @ Pappu Singh, son of Late Ganga Singh.
 2. Nand Singh @ Nand Kumar Singh, son of Hazari Singh.
 3. Lavkush Singh @ Kumar Lav S/o Hriday Singh.
- All are resident of village - Sedha, P.S. - Tarari, District- Bhojpur

... .. Appellants

Versus

1. The State of Bihar
2. Mahendra Paswan Son of Ramashre Paswan Resident of Village -Sedha, P.S. -Tarari, District- Bhojpur

... .. Respondents

Appearance :

For the Appellants	:	Mr. Raju Singh, Advocate
For the State	:	Mr. Sadanand Paswan, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 12-11-2025 Heard learned counsel for the appellants and
learned Spl. P.P. for the State.

2. This appeal is preferred against the order dated 01.07.2024 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, S.C./S.T. Act, Bhojpur at Ara, in connection with S.C./S.T. P.S. Case No.17 of 2024 registered for the offence under sections 341, 323, 379, 504, 506, 427, 147 and 149 of the Indian Penal Code and under sections 3(i)(r)(s), 3(2) (va) of the S.C./ S.T. Act, by which the prayer of the appellants for grant of bail has been rejected.

3. The appellants and others are said to have



came to the shop of the informant and taken some goods. When the informant asked for money, they started abusing him by denoting his caste name.

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. Therefore not even a *prima facie* case is made out and consequently, this application for anticipatory bail is maintainable.

5. Learned counsel for the State has opposed the prayer of the appellants for grant of bail.

6. I have considered the submissions of the parties and perused the materials on record.

7. It appears that before the present case, the informant and others have been made accused in two more criminal cases filed by the police and the appellant side as they had assaulted the *Baratis* including the appellants. Therefore, it appears that the present *mala fide* prosecution has been launched by the informant to save himself from the prosecution launched by the police and the appellant side

8. Considering the aforesaid facts, this application for grant of anticipatory bail is held to be



maintainable and it is allowed. Accordingly, the impugned order dated 01.07.2024 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 Exclusive Special Judge, S.C./S.T. Act-cum- 1st Additional Sessions Judge, Bhojpur at Ara / concerned Court, in connection with S.C./S.T. P.S. Case No.17 of 2024, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the BNSS.

(Sandeep Kumar, J)

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