

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4239 of 2024

Arising Out of PS. Case No.-356 Year-2024 Thana- CHAPRA MUFFASIL District- Saran

1. Binod Kumar Singh S/O Late Yamuna Prasad Singh
2. Shila Singh W/O Binod Kumar Singh
3. Rajeev Ranjan @ Pappu Kumar S/O Binod Kumar Singh
All residents of Mohalla Sahakti Nagar, P.S- Muffasil, Distt.- Chhapra, Bihar.

... .. Appellant/s

Versus

1. The State of Bihar
2. Ravi Kumar S/O Yogeshwar Manjhi R/O Village- Lohari, Post- Gurukul Mehiya, P.S- Muffasil, Distt.- Chhapra, Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Pravashankar Mishra, Advocate
For the Informant	:	Ms.Archana, Advocate
		Mr.Arun Kumar, Advocate
For the Respondent/s	:	Mr.Sadanand Paswan, Spl. PP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 12-11-2025 Heard Mr. Pravashankar Mishra, learned counsel appearing on behalf of the appellants; Ms. Archana along with Mr. Arun Kumar, learned counsels for the informant and Mr. Sadanand Paswan, learned Spl. PP for the State.

2. The appellants have preferred the present appeal under Section 14-A(2) of SC/ST (Prevention of Atrocities) Act against the rejection of prayer for pre-arrest bail, vide order dated 23.08.2024 passed in Muffasil PS.Case No.356 of 2024 by the learned SC/ST Special Judge, Saran, registered for the offences under Sections 341, 323, 504 & 506/34 of Indian



Penal Code and Section 3(1)(r)(s) of SC/ST Act.

3. As per the allegation made in the FIR, when the informant went to the house of the appellants, demanding his money, he was assaulted by the appellants with “Belan” (wooden roller) causing injury to him. It is alleged that the appellant no.1 abused the informant by taking his cast name.

4. Learned counsel appearing on behalf of the appellants submitted that the appellants are innocent. In fact, allegedly the informant had given some money to the appellants, in order to get him selected as a Teacher but the said amount has not been disclosed in the FIR, which shows that a false and fabricated case has been lodged against the appellants. Learned counsel further submitted that the allegation is general and omnibus against the appellants. From the perusal of the FIR, it is also evident that the alleged place of occurrence is not a public place, as the informant himself has alleged that he went to the house of the appellant, where the said incident took place. Appellants have not used any casteist utterances to the informant. Appellants have clean antecedents. On these grounds, the appellants seek to be released on pre-arrest bail.

5. *Per contra*, Mrs. Archana along with Mr. Arun Kumar, learned counsel appearing on behalf of OP No.2 have



vehemently opposed the prayer for bail, submitting that the appellants have not only committed fraud with the informant but they have intentionally assaulted and abused the informant by taking his cast name.

6. Mr. Sadanand Prasad, learned Spl.PP have also opposed the prayer for grant of bail to the appellants.

7. Having considered the rival submissions made on behalf of the parties, as well as, having considered the allegation made in the FIR, I find that the parties have indulged in sort of transactions of money, which led to filing of the present FIR. The allegation being general and omnibus and to make the serious case, allegation under SC/ST Act has also been alleged against the appellants.

8. At this stage, learned counsels appearing on behalf of both the parties submitted that the matter can be resolved amicably. However, the learned counsel for the respondents submitted that as the appellants have committed fraud with the informant and in case, the appellants return back the amount to the informant then the informant will not pursue with the case.

9. In view of above, I find that the parties have agreed to resolve their dispute amicably. The Apex Court in the case of **Ramawatar vs State of M.P. (Criminal Appeal No.**



1393 of 2011) has set aside the criminal prosecution under the circumstances that the parties have entered into amicable settlement and has observed that the prosecution will only be vexatious, if allowed to proceed.

10. The parties may settle their dispute amicably preferably within a period of two months. Till two months, no coercive action is required to be taken against the appellants.

11. In case, the parties finally settle their dispute amicably outside the court then they will fill a joint petition **showing that they have compromised before the learned District Court, in that case, the appellants, above named, are directed to be released on pre-arrest bail** in connection with Muffasil P.S.Case No.356 of 2024 on such terms and conditions, as the learned District Court deems it fit and proper.

12. In case, the parties fail to reconcile within the aforesaid time, then in that case, the parties may avail appropriate remedy in accordance with law.

13. Accordingly, the impugned order is set aside and appeal is disposed of.

(Purnendu Singh, J)

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