

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3661 of 2025**

Arising Out of PS. Case No.-111 Year-2022 Thana- SC/ST District- Gopalganj

Murari Jaiswal @ Krishna Murari Jaiswal, S/o Bindhyachal Prasad Resident
of Panchdewari, P.S.- Pach Deuri, Distt- Gopalganj

... .. Appellant/s

Versus

1. The State of Bihar
2. Manoj God S/o Late Saryug God R/o Sukarauli, P.S.- Kateya, Distt-
Gopalganj

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Sriram Krishna
For the Respondent/s	:	Mr.Sadanand Paswan Mr.Vyas Kumar Mishra

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 01-12-2025 1. Heard learned counsel for the appellant, the learned
Special Public Prosecutor for the State and the learned counsel
appearing on behalf of the informant.

2. The appellant has challenged the order dated
28.07.2025 passed by the learned Additional Sessions Judge-XI-
cum-Special Judge (SC & ST Act), Gopalganj in connection
with Gopalganj SC/ST Case No.111 of 2022, instituted for the
offences under Sections 341, 323, 324, 307, 354, 379, 34 of the
Indian Penal Code and Section 3(i)(r)(s), 3(2)(v)(a) of the
Scheduled Castes & Scheduled Tribes (Prevention of Atrocities)
Act, whereby his prayer for grant of anticipatory bail has been
rejected.



3. The learned counsel appearing on behalf of the appellant submits that appellant has antecedent of one case and the informant alleges that on 16.11.2022 at around 10.30 A.M., some construction work was going on in the shop of Ramesh and he was standing beside the shop when all the accused persons including the appellant came and assaulted and abused the informant. On objection, Pintu assaulted by knife causing injury on his shoulder, thereafter Niraj assaulted him by an iron rod causing injury on head and other accused assaulted with stick while appellant assaulted Meena Devi on her left leg and right hand. Further, Ram Chandra Sah caught hair of Meena Devi and dragged her on the ground while Guddu Jaiswal snatched gold chain from Ramesh Madhesiya.

4. The learned counsel for the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that as far as allegation of abuse is alleged, the same is general and omnibus in nature. It is also submitted that specific allegation of assaulting by knife is against Pintu Jaiswal, but then, the injury report belies the allegation of assault by knife as the doctor has opined one of the injuries to be grievous, but then, caused by



hard and blunt substance. It is next submitted that as far as appellant is concerned, he is alleged to have assaulted Meena Devi on her left leg and right hand, but then, Meena does not belong to Scheduled Caste/ Scheduled Tribe Category. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that on account of construction work going on in the shop of Ramesh Madhesiya, it is alleged that the occurrence took place. It is further submitted that informant is a salesman in the shop of Ramesh and Ramesh got the instant case instituted through the informant. It is also reiterated and submitted that as far as appellant is concerned, he is not alleged to have assaulted the informant.

5. The learned Special P. P. as well as the learned counsel appearing on behalf of the informant opposes the appeal, but then learned counsel for the informant is not able to rebut the submission of the learned counsel for the appellant that Meena does not belong to SC/ST Category.

6. Regard being had to the aforesaid submissions, the order dated 28.07.2025 is set-aside.

7. The appeal stands allowed.

8. The appellant, above-named, in the event of his arrest or surrender before the learned Court below within a



period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XI-cum-Special Judge (SC & ST Act), Gopalganj in connection with Gopalganj SC/ST Case No.111 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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