

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4442 of 2024

Arising Out of PS. Case No.-181 Year-2024 Thana- DHARHARA District- Munger

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1. Durga Prasad Sao Son of Late Baldeo Sao Village- Matadih, Ps- Dharhara, Dist- Munger
 2. Rajeev Kumar Sao @ Rajeev Kumar Son of Durga Prasad Sao Village- Matadih, Ps- Dharhara, Dist- Munger
 3. Mukesh Kumar Sao Son of Late Baldeo Sao Village- Matadih, Ps- Dharhara, Dist- Munger

... .. Appellant/s

Versus

1. The State of Bihar
2. Chanda Kumari Wife of Prem Kumar Village- Matadih, Ps- Dharhara, Dist- Munger

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Shashi Saurabh, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl. Public Prosecutor
For the R.No. 2	:	Mr. Brij Mohan Das, Mr. A.K. Pandey, Advocates

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 24-11-2025 Heard learned counsel for the appellants, respondent no. 2 and the State.

2. This appeal has been filed against the order dated 27.08.2024 passed by learned Special Judge, SC/ST-cum- ADJ I, Munger in ABA No. 1168 of 2024 arising out of Dharhara P.S. Case No. 181 of 2024 registered under Sections 191(2), 191(3), 190, 352, 351(2), 351(3), 126(2), 115(2), 109 of the Bharatiya Nyaya Sanhita and Section 3(1)(r)(s), 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellants has been



rejected.

3. As per F.I.R., these appellants assaulted the husband of informant by means of iron and steel rod and abused him by caste name.

4. Learned counsel for the appellants submits that on account of petty dispute, altercation took place between the parties in which both sides sustained injuries. Case and counter case. Injuries caused by the appellants are simple in nature. Insult was not caused to the husband of informant solely on the basis of caste and as such, no case under SC/ST Act is made out against the appellants.

5. Learned Spl. Public Prosecutor for the State as well as learned counsel for the respondent no. 2 vehemently opposed the bail application.

6. Considering the aforesaid facts, let the appellants, as named above, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST-cum- ADJ I, Munger in ABA No. 1168 of 2024 arising out of Dharhara P.S. Case No. 181 of 2024.

7. Accordingly, this criminal appeal is allowed and



impugned order dated 27.08.2024 is set aside with respect to
these appellants only.

(Prabhat Kumar Singh, J)

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