

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3811 of 2025

Arising Out of PS. Case No.-367 Year-2025 Thana- DINARA District- Rohtas

Sahabu @ Sahabu Singh @ Ravindra Kumar Singh Son of Ram Iqbal Singh
R/o Village - Belwariya, P.S. - Dinara, Dist. - Rohtas.

... .. Appellant/s

Versus

1. The State of Bihar
2. Subhash Paswan Son of Rameshwar Paswan R/o Village - Belwariya, P.S. - Dinara, Dist. - Rohtas.

... .. Respondent/s

with

CRIMINAL APPEAL (SJ) No. 3890 of 2025

Arising Out of PS. Case No.-367 Year-2025 Thana- DINARA District- Rohtas

1. Rani Singh @ Rani Devi W/o- Shiv Jee Singh @ Babua Singh @ Babua Jee Village- Belwayia PS-Dinara, Dist- Rohtas
2. Jyotiraditya @ Sardar Singh S/o- Shiv Jee Singh @ Babua Singh @ Babua Jee Village- Belwayia PS-Dinara, Dist- Rohtas
3. Kumar Sahil @ Chhotu Singh S/o- Shiv Jee Singh @ Babua Singh @ Babua Jee Village- Belwayia PS-Dinara, Dist- Rohtas

... .. Appellant/s

Versus

1. The State of Bihar
2. Subhash Paswan S/o- Rameshwar Paswan Village- Belwayia PS-Dinara, Dist- Rohtas

... .. Respondent/s

Appearance :

(In CRIMINAL APPEAL (SJ) No. 3811 of 2025)

For the Appellant/s : Mr. P. N. Shahi- Sr. Advocate
Mr. Shiv Pratap- Advocate
Ms. Kumari Shalini- Advocate
For the Respondent/s : Mr. Binay Krishna- Spl.P.P.
Mr. Deepak Kumar
Mr. Kamal Kishor Kumar
Mr. Ajay Kumar Prasad
Mr. Vivek Kumar

(In CRIMINAL APPEAL (SJ) No. 3890 of 2025)

For the Appellant/s : Mr. P. N. Shahi- Sr. Advocate
Mr. Shiv Pratap- Advocate
Ms. Kumari Shalini- Advocate
For the Respondent/s : Mr. Binay Krishna- Spl.P.P.



Mr. Deepak Kumar
Mr. Kamal Kishor Kumar
Mr. Ajay Kumar Prasad
Mr. Vivek Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 25-11-2025 **CRIMINAL APPEAL (SJ) No.3811 of 2025**

1. Heard learned senior 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 01.09.2025 passed by the learned Special Judge, SC/ST, (POA), Sasaram, Rohtas in connection with Dinara P. S. Case No.367 of 2025, instituted for the offences under Sections 191(2)(3), 115(2), 126(2), 109, 351(2), 352 of the B.N.S. and Section 3(1)(r), 3(1)(s), 3(ii)(va) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act and Section 27 of the Arms Act, whereby his prayer for grant of anticipatory bail has been rejected.

3. The S.H.O. and the Investigating Officer of the case were directed to remain physically present on 24.11.2025 by an order dated 15.10.2025.

4. The learned Special P.P. submits that in compliance of the order dated 15.10.2025, the S.H.O. and



the Investigating Officer of the case were present, but on account of non-availability of the Court, they returned. It is next submitted that today the Investigating of the case is present.

5. The learned senior counsel appearing on behalf of the appellant submits that appellant has antecedent of one case and the informant alleges that in the village 100-155 Biggha of ceiling land, on the said land a dispute is going on in between 135 family of the village with Shiv Jee Singh for doing cultivation. It is next alleged that Shiv Jee Singh, Sardar Singh, Chhotu, Sahabu and Rani along with 100 unknown accused came on the land for doing cultivation. On objection, Shiv Jee Singh abused by taking caste name and started assaulting in which his family members including the appellant was also involved. Further, Shiv Jee Singh fired causing firearm injury to his brother Anish. Accordingly, his brother was taken to hospital for treatment. Further, his mother and other family members also got injured in the occurrence.

6. The learned senior counsel appearing on behalf of 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 allegation of abusing the informant by taking caste name is not specific against the appellant. It is also submitted that even presuming what has been alleged is true without admitting, then allegation of firing is against Shiv Jee Singh. It is also submitted that 100-155 biggha of ceiling land is under dispute and Shiv Jee Singh and his family under protection of the police had gone for cultivation when the side of the informant and villagers objected on account of which, an altercation took place. It is also submitted that three FIRs for the same occurrence have been instituted. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant had even implicated the women members of the family and the same has been done only with a view to coerce the appellant's side into submission..

7. On query of the Court from the Investigating Officer of the case that as to whether firearm injury on brother of the informant was found or not, on which she categorically stated based on the injury report that the injury



report does not even remotely suggest that Anish was shot.

8. The learned Special P. P. also concurs with the submission of the Investigating Officer of the case.

9. The learned counsel appearing on behalf of the informant opposes the appeal and submits that the brother of the informant was initially admitted at the P.H.C. from where he was referred to Sadar Hospital and Sadar Hospital referred him to PMCH, but instead of going to PMCH, the brother of the informant was taken to Varanasi where he was treated and the injury report of B.H.U. records about firearm injury, on which learned A.P.P. submits that brother of the informant was referred to PMCH but instead of going to PMCH, he went to B.H.U. for treatment and the injury report as prepared by the doctors of the P.H.C. does not suggest about firearm injury.

10. At this stage, the learned senior counsel appearing on behalf of the appellant submits that informant is also in custody along with Shiv Jee Singh.

11. Regard being had to the aforesaid submissions, the order dated 01.09.2025 is set-aside.

12. The appeal stands allowed.



13. 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.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned learned Special Judge, SC/ST, (POA), Sasaram, Rohtas in connection with Dinara P. S. Case No.367 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.

CRIMINAL APPEAL (SJ) No. 3890 of 2025

1. Heard the learned senior counsel for the appellants, the learned Special Public Prosecutor for the State and the learned counsel appearing on behalf of the informant.

2. The appellants have challenged the order dated 01.09.2025 passed by the learned Special Judge, SC/ST, (POA), Sasaram, Rohtas in connection with Dinara P. S. Case No.367 of 2025, instituted for the offences under Sections 191(2)(3), 115(2), 126(2), 109, 351(2), 352 of the B.N.S. and Section 3(1)(r), 3(1)(s),3(ii)(va) of the Scheduled Castes & Scheduled Tribes (Prevention of



Atrocities) Act and Section 27 of the Arms Act, whereby their prayer for grant of anticipatory bail has been rejected.

3. The learned counsel appearing on behalf of the appellants submits that appellant nos.1 and 3 are persons with clean antecedent and appellant no.2 has antecedent of one case and appellant no.1 is a woman. It is next submitted that Sahabu @ Sahabu Singh @ Ravindra Kumar Singh had approached this seeking anticipatory bail by filing Cr. Appeal (SJ) No.3811 of 2025 and the same was allowed after considering the case on merits and in detail. It is further submitted that case of the appellants are on a similar footing.

4. The learned Special P. P. and the learned counsel appearing on behalf of the informant are not in a position to rebut the said submission of the learned counsel appearing on behalf of the appellant.

5. Regard being had to the aforesaid submissions, the order dated 01.09.2025 is set-aside.

6. The appeal stands allowed.

7. After hearing the learned counsel for the parties and taking into consideration the order dated 25.11.2025 in



Cr. Appeal (S.J.) No.3811 of 2025, the appellants, above-named, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST, (POA), Sasaram, Rohtas in connection with Dinara P. S. Case No.367 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.

8. The personal appearance of the Investigating Officer of the case is dispensed with.

(Satyavrat Verma, J)

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