

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.4625 of 2024**

Arising Out of PS. Case No.-686 Year-2024 Thana- PHULWARISHARIF District- Patna

1. Rohit Kumar Son of Pintu Vishwkarma Village- Kurkuri, Ps- Phulwari Sharif, Dist- Patna
2. Pintu Vishwkarma Son of Gajadhar Vishwkarama Village- Kurkuri, Ps- Phulwari Sharif, Dist- Patna
3. Sunny Kumar son of Pintu Vishwkarma Village- Kurkuri, Ps- Phulwari Sharif, Dist- Patna
4. Kanti Devi Wife of Pintu Vishwkarma Village- Kurkuri, Ps- Phulwari Sharif, Dist- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Manti Devi Wife of Jai Dayal Das Village- Kurkuri, Ps- Phulwari Sharif, Dist- Patna

... .. Respondent/s

**Appearance :**

|                      |   |                                |
|----------------------|---|--------------------------------|
| For the Appellant/s  | : | Mr.Shyam Kishor Das, Advocate. |
| For the Respondent/s | : | Mr.Binay Krishna, Spl. PP.     |
| For the Informant    | : | Mr. Binita Kumar, Advocate.    |
|                      |   | Mr. Shailesh Kumar, Advocate.  |

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

4      17-12-2025                      Heard learned counsel appearing on behalf of the appellants, learned Spl. PP for the State and learned counsel for the informant.

2. The appellants have preferred the appeal under Section 14(A)(2) of the SC/ST Act against the rejection of prayer for pre-arrest bail vide order dated 13.08.2024 passed by learned Exclusive Special Judge, SC/ST Act, Sadar, Patna in Phulwari Sharif P.S. Case No. 686/2024 registered under



Sections 341, 323, 504, 506/34 of the Indian Penal Code and Sections 3(1)(r)(s) of the SC/ST Act.

3. As per the allegation made in the F.I.R., appellants are said to have abused the informant and his family members in the name of their caste and also assaulted him and his family members causing injury.

4. Learned counsel appearing on behalf of the appellants submitted that the allegation levelled against the appellants is not specific rather general and omnibus in nature. The appellants have falsely been implicated in the case. Appellants have clean antecedent. Learned counsel further submitted that the appellants undertake to participate in the investigation and they will also appear in course of trial on each and every date fixed by the trial court and will not tamper with the records or evidence.

5. *Per contra*, learned counsel appearing on behalf of the informant submitted that the alleged offence took place in public view and as such, the ingredients of Sections 3(1)(r)(s) of the SC/ST Act is made out against the appellants, as such, they don't deserve to be released on bail.

6. Learned Spl.PP for the State has 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 perused the allegation made in the F.I.R., I find that the allegation of abusing the informant and his family members and assaulting them is not specific rather general and omnibus, the appellants, above named, are directed to be released on bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending in connection with Phulwari Sharif P.S. Case No. 686/2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C / 482 (2) of the BNSS.

8. Accordingly, the impugned order is set aside and appeal is allowed.

**(Purnendu Singh, J)**

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