

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3918 of 2025

Arising Out of PS. Case No.-57 Year-2025 Thana- KATRA District- Muzaffarpur

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1. Vijay Sah S/O Late Kapleshwar Sah R/O Village- Bakhori Gotoli, P.S- Katra, Distt.- Muzaffarpur.
 2. Vinod Sah @ Khobari Sah @ Khobhari Sah S/O Late Kapleshwar Sah R/O Village- Bakhori Gotoli, P.S- Katra, Distt.- Muzaffarpur.

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Vishwanath Manjhi S/O Bhola Manjhi R/O Village- Dargah, P.S- Katra, Distt.- Muzaffarpur.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Mritunjay Kumar, Adv.
For the informant	:	Mr. Surendra Prasad Singh, Adv.
For the State	:	Mr.Sadanand Paswan, Spl.PP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 25-09-2025 Heard learned counsel for the appellants, learned counsel for the informant and learned Spl. P.P. for the State.

2. Learned counsel for the respondent no. 2 has appeared in this case through Vakalatnama during course of the day.

3. This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the rejection of prayer for bail of the appellants vide order dated 26.08.2025 by the learned Special Judge SC/ST (POA) Act, Muzaffarpur in connection



with Katra P.S. Case No. 57 of 2025 dated 18.03.2025 registered for the alleged offences punishable under Sections 191(2), 191(3), 109, 303, 324(4), 126(2), 115(2), 351(2), 351(4) of the B.N.S. and Sections 3(1)(r), 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

4. As per prosecution case, on 13.03.2025, when the informant along with his nephew namely, Suraj Kumar was returning to home (Dargah) and when they reached Bakhri Gatoli, the accused persons namely, Vijay Sah (appellant), Mukund Kumar, Dasrath Sharma, Vinod Sah @ Khobhari Sah (appellant), Sukul Tiwari, Pawan Singh along with other 25-30 unknown persons stopped the motorcycle of the informant and snatched the key of the said motorcycle and started assaulting them by calling thieves. When the informant said that he was not a thief and his house is in Musahar tola at Dargah. Thereafter, the appellant, Vijay Sah started assaulting and abusing them by calling their caste name and also snatched Rs. 10,000/- in cash from them. Thereafter, villagers gathered there and both of them were saved and admitted to the hospital for treatment.

5. Learned counsel for the appellants submits that the appellants are innocent and have been falsely implicated in this



case. There is a delay of five days in lodging the F.I.R. without any explanation. It is further submitted that no member of public was present at the relevant point of time of the incident and hence, no offence under provisions of SC/ST Act is made out against the appellants. As per the injury report of Vishwanath Manjhi, two injuries are found i.e. lower lip swelling with laceration and two abrasions over nose and the nature of injury can not be determined. Learned counsel has further submitted that the matter has been compromised between the parties. It is further submitted that the appellants have no concern with the alleged offence. The co-accused persons have already been granted bail by this court vide order dated 04.09.2025 passed in Cr. Appeal (SJ) No. 1889/2025. The appellants have no criminal antecedent as stated in para 3 of the bail petition. The appellant nos. 1 and 2 are in custody since since 04.05.2025 and 06.05.2025 respectively.

6. Learned Special Public Prosecutor for the State as has opposed the prayer for bail of the appellants. Learned counsel for the informant has submitted that the matter has been compromised between the parties.

7. In view of the aforesaid facts and circumstances of the case as well as finding substance in the contention of the



learned counsel for the appellants, the impugned order dated 26.08.2025 by the learned Special Judge SC/ST (POA) Act, Muzaffarpur in connection with Katra P.S. Case No. 57 of 2025, is set aside against the appellants. The criminal appeal is allowed.

8. Accordingly, the above named appellants, are directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge SC/ST (POA) Act, Muzaffarpur in connection with Katra P.S. Case No. 57 of 2025.

(Chandra Prakash Singh, J)

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