

IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.4767 of 2024

Arising Out of PS. Case No.-120 Year-2024 Thana- KADIRGANJ District- Patna

1. Rajnandan Prasad @ Rajnandan Prasad Singh Son of Late Keshwar Mehto  
Resident of Village - Nimra, Police Station - Kadirganj, District - Patna
2. Mina Devi Wife of Raj Nandan Prasad @ Raj Nandan Prasad Singh  
Resident of Village - Nimra, Police Station - Kadirganj, District - Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Sangita Devi Wife of Badra Paswan Resident of Village - Nimra, Police  
Station - Kadirganj, District - Patna

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sarvesh Kashyap, Advocate  
: Mrs. Kumari Akansha Roy, Advocate  
For the State : Mrs. Usha Kumari 1, APP  
For the Resp. No.2 : Mr. Sheo Nandan Pandit, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY  
ORAL ORDER

3      12-11-2025                      Heard Mrs. Kumari Akansha Roy, learned counsel  
for the appellant and Mr. Sheo Nandan Pandit, learned counsel  
representing the respondent no.2 as also learned Special Public  
Prosecutor representing the State.

2. The present appeal has been preferred for setting  
aside the order dated 09.09.2024 passed by Learned Exclusive  
Special Judge SC/ST Act Civil Court (Sadar) Patna in  
Anticipatory Bail Petition No.3293 of 2024 arising out of  
Kadirganj P.S. Case No. 120 of 2024 lodged for the offences  
punishable under Section 115(2), 126(2) 352 and 3(5) of the  
Bhartiya Nyaya Sanhita and under Section 3(i)(r)(s) of the  
SC/ST (POA) Act whereby the anticipatory bail petition filed by  
appellants have been rejected.



3. As per the prosecution story, the informant alleged with the allegation that the Goat of the informant went into the field of the accused persons, after taking caste name, the couple assaulted the informant, her husband as also her daughter in the stomach and as she had undergone operation, caused injury. This led to the F.I.R.

4. Learned counsel for the appellants submit that a perusal of the F.I.R. would show that omnibus allegation is there, nothing has been uttered in public view, both the appellants have no criminal antecedents and the appellant no.1 is 72 years old. The injury to the daughter has been found to be simple in nature and prima facie, allegation under SC/ST Act is not made out. Last submission is that without accepting the allegation or outcome of the present appeal, the appellant no.1, Rajnandan Prasad @ Rajnandan Prasad Singh intend to pay Rs.10,000/- to the informant towards treatment by Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank to be submitted at the time of execution of bail bond.

5. Learned counsel representing the respondents opposes the prayer submitting that though the injury has been found to be simple in nature, the assault was made and



occurrence were also there.

6. Considering the submissions of the parties as also that these two appellants have no criminal antecedents, appellant no.1 is 72 years old, the injury has been found to be simple in nature, it is not on record that the same has been uttered in presence of any public, in that background, this Court is inclined to extend them the privilege of anticipatory bail subject to payment of Rs.10,000/- to the informant towards treatment by the appellant no.1, Rajnandan Prasad @ Rajnandan Prasad Singh as undertaken by the learned counsel for the appellants through Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank to be submitted at the time of execution of the bail bond and the same shall be handed over to the informant after checking his/her credentials.

7. The order dated 09.09.2024 passed by the learned Exclusive Special Judge, SC/ST Act, Civil Court (Sadar), Patna in Anticipatory Bail Petition No.3293 of 2024 arising out of Kadirganj P.S. Case No. 120 of 2024 is set aside and the appeal stands allowed.

8. Let the appellant be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/-



(Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST Act, Civil Court (Sadar), Patna, in connection with Kadirganj P.S. Case No. 120 of 2024, subject to the following conditions:

(i) one of the bailor should be the family member/relative of the appellants who shall provide official document to show his/her bona fide;

(ii) the appellants shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the appellants shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the appellants shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

**(Rajiv Roy, J)**

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