

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5081 of 2024

Arising Out of PS. Case No.-143 Year-2021 Thana- SIWAIPATTI District- Muzaffarpur

1. Ranjit Sahni Son of Ram Sevak Sahni Resident of Village- Dhaphar Tole, Tegerari, P.S.- Siwaipatti, Distt.- Muzaffarpur
2. Sanjit Sahni Son of Ram Sevak Sahni Resident of Village- Dhaphar Tole, Tegerari, P.S.- Siwaipatti, Distt.- Muzaffarpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Tej Narayan Ram P.S.- Siwaipatti, Dist.- Muzaffarpur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Alok Kumar Alok
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 18-04-2025 Heard learned counsel for the appellants and learned
Special P.P. for of the State.

2. This appeal has been filed against the order dated 25.09.2024 passed by learned Special Judge, SC/ST Act, Muzaffarpur in connection with Siwaipatti P.S. Case No. 143 of 2021, registered under Sections 307, 504, 506 & other allied sections of the Indian Penal Code and Section 3(1)(r)(s)(w) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (for short “SC/ST Act”), whereby the prayer for bail of appellants has been rejected.

3. As per the prosecution case, on the alleged date and time of occurrence, informant received an information that there



is dispute between candidates of two groups of panchayat and as such, he along with other police personnel reached at the place of occurrence, in the meantime, appellants along with other co-accused persons abused the informant by caste name and attacked the police force and also assaulted them, as a result of which, some of the police personnel sustained injury.

4. Learned counsel for the appellants submits that there is general and omnibus allegation and no specific allegation of overt act has been alleged against appellants. There is no allegation of abuse by caste name and as such, no case under the SC/ST Act is made out. Co-accused namely Chandan Kumar, having similar and identical allegation, has already been granted bail by this Court, vide order dated 04.04.2025 passed in Cr.Appeal (SJ) No. 5218 of 2024. The appellants are in custody since 22.09.2024, having no criminal antecedent.

5. Learned Spl. Public Prosecutor for the State opposed the appeal.

6. However, considering the aforesaid facts and circumstances as well as period of custody and clean antecedent, the impugned order dated 25.09.2024 is, hereby, set aside and this criminal appeal is allowed.

7. Let the appellants, as named above, be released on



bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST Act, Muzaffarpur in connection with Siwaipatti P.S. Case No. 143 of 2021.

(Prabhat Kumar Singh, J)

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