

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5212 of 2024

Arising Out of PS. Case No.-77 Year-2024 Thana- MOHANPUR District- Samastipur

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1. Arun Kumar Ray @ Akun Roy Son of Late Madan Ray Resident of Village- Shahpur Baranth, P.S.- Mohanpur, District- Samastipur
 2. Sudhir Ray @ Sudhir Kumar Ray Son of Late Bali Ray Resident of Village- Shahpur Baranth, P.S.- Mohanpur, District- Samastipur
 3. Rajo Ray @ Ranjan Kumar Ray @ Raja Ray Son of Munna Ray Resident of Village- Shahpur Baranth, P.S.- Mohanpur, District- Samastipur
 4. Vinod Ray Son of Madan Ray Resident of Village- Shahpur Baranth, P.S.- Mohanpur, District- Samastipur

... .. Appellant/s

Versus

1. The State of Bihar
2. Vishnudeo Paswan Son of Sarjug Paswan Resident of Village- Shahpur Baranth, P.S.- Mohanpur, District- Samastipur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Yugal Kishore, Adv.
For the Respondent/s : Mr. Sadanand Paswan, Spl.PP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 14-11-2025 Heard the parties.

2. The appellants has preferred the present appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (for short 'the Act') against the order dated 22.10.2024 passed by the learned Special Judge (SC/ST) (POA) Act, Samastipur in connection with Mohanpur P.S. Case No. 77 of 2024 registered under Sections 147, 149, 341, 323, 325, 504, 504 of IPC and Sections 3(2)(v) of SC/ST (POA) Act.

3. Present appeal is well within limitation as prescribed under Section 14A(3) of the Act.



4. As per FIR, the son of informant was assaulted by appellants causing physical injury, where the occurrence alleged to be taken place in the background of land dispute.

5. Learned counsel appearing for the appellants submitted that the alleged injury as said to be received by the son of the informant is on non vital part of the body. It is pointed out that implication raised in the background of land dispute for which Title Suit bearing case no. 18 of 2015 is pending before the court of learned Sub-Judge, Samastipur.

6. Arguing further, it is pointed out by learned counsel for the appellants that the allegation *qua* physical assault is also appearing very much general and omnibus in nature and also the caste name not appears disclosed and, therefore, the abuse in caste name is in very general manner just to implicate appellants with more aggravated allegations. Appellants claimed clean antecedent.

7. Learned Spl.PP duly assisted by learned counsel for the informant while opposing the prayer of bail as raised through present appeal submitted that the son of informant received several injuries during the occurrence.

8. In view of aforesaid factual submissions and by



taking note of fact, as *prima-facie* present implications of appellants appears in the background of admitted land dispute for which a title suit is pending, where appellants are of clean antecedent, coupled with the fact that allegations of physical assault and caste abuse against appellants are appearing very much general and omnibus, accordingly, all above-named four appellants in the event of their arrest or surrender before the learned trial Court, within a period of six weeks of the order, are directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge (SC/ST) (POA) Act, Samastipur in connection with Mohanpur P.S. Case No. 77 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

9. Accordingly, impugned order dated 22.10.2024 is hereby set/quashed.

10. Hence, appeal stands allowed.

(Chandra Shekhar Jha, J)

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