

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5401 of 2024

Arising Out of PS. Case No.-183 Year-2024 Thana- MAKER District- Saran

Nitesh Kumar Singh S/O Late Rajesh Kumar Singh Resident of village Kasba
Maker Anjani, P.S- Maker, Dist- Saran

... .. Appellant/s

Versus

1. The State of Bihar
2. Pappu Kumar S/O Sri Prabhu Ram Resident of village Kasba Maker Anjani,
P.S- Maker, Dist- Saran

... .. Respondent/s

Appearance :

For the Appellant	:	Mr. Ravikant, Advocate
For the State	:	Mr. Sadanand Paswan, Spl.PP
For Respondent No. 2	:	Mr. Nalin Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 08-05-2025 Heard learned counsel appearing for the appellant,

learned Special Public Prosecutor appearing for the respondent-

State and learned counsel appearing for the Respondent No. 2.

2. This appeal has been filed for setting aside order dated 28.10.2024 passed in a case registered for the offence punishable under Sections 126(2), 115, 352 and 351(3) of the B.N.S., Section 27 of the Arms Act and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of this appellant has been rejected.

3. As per prosecution case, it is alleged that this appellant abused informant by caste name and assaulted him by



means of iron rod.

4. It is submitted by learned counsel appearing on behalf of the appellant that the appellant is quite innocent and has falsely been implicated in this case. Injuries allegedly caused by this appellant are simple in nature. It is further submitted that it is not the case of the prosecution that any member of the public was present at the time of incidence and as such, no case under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is made out against this appellant. Appellant claims clean antecedents.

5. On the other hand, learned Special PP for the State and learned counsel for the informant/Respondent No. 2 have vehemently opposed the prayer for grant of anticipatory bail to the appellant.

6. Considering the aforesaid facts and circumstances of the case, this appeal is allowed and the impugned order dated 28.10.2024 passed by the learned Exclusive Special Judge, SC/ST, Saran in connection with A.B.P. No. 183 of 2024 arising out of Maker P.S. Case No. 183 of 2024 is hereby set aside with respect to this appellant only.

7. Accordingly, let the appellant, named above, in the event of arrest/surrender within a period of eight weeks from the



date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, SC/ST, Saran in connection with Maker P.S. Case No. 183 of 2024.

(Prabhat Kumar Singh, J)

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