

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5395 of 2019

Arising Out of PS. Case No.-238 Year-2018 Thana- JANDAHA District- Vaishali

-
1. BABLU KUMAR S/o Lal Babu Singh R/o village- Bishunpur, P.S.- Zandaha, District- Vaishali
 2. Ritesh Kumar S/o Arun Singh R/o village- Bishunpur, P.S.- Zandaha, District- Vaishali

... .. Appellants

Versus

1. The State of Bihar
2. Smt. Kanti Devi Ganesh Das Village-Bishanpur,P.S-Jandaha,District-Vaishali

... .. Respondents

Appearance :

For the Appellants	:	Mr. Awadhesh Kumar Singh
For the State	:	Mr. Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 27-11-2025 Heard learned counsel for the appellants and learned Special Public Prosecutor.

2. This appeal is preferred against the order dated 22.10.2019 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Vaishali at Hajipur, in connection with Zandaha P.S. Case No.238 of 2018 registered for the offence under sections 341, 323, 504/34 of the Indian Penal Code and under section 3(1)(R) of the S.C./S.T. Act, by which the prayer of the appellants for grant of anticipatory bail has been rejected.

3. As per the F.I.R. an altercation took place



between the parties and due to which, in the night, the accused persons including the appellants came at the house of the informant and abused her by saying her caste name and also assaulted the family members of the informant. When the local people came, the accused persons fled away.

4. Learned counsel for the appellants submits that the appellants have clean antecedent and both the parties are co-villagers. He further submits that there is an unexplained delay of 15 days in lodging the F.I.R.

5. Learned Special Public Prosecutor for the State has opposed the prayer of the appellant for grant of bail.

6. I have considered the submissions of the parties.

7. From reading of the F.I.R., it appears that the occurrence has taken place on account of a trivial dispute. Further, there is an unexplained delay of 15 days in lodging the F.I.R.

8. In view of the above, this appeal is allowed and the impugned order dated 22.10.2019 is set aside.

9. Let the appellants, in the event of their arrest or surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand)



each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum- Special Judge, Vaishali at Hajipur / concerned Court, in connection with Zandaha P.S. Case No.238 of 2018, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the BNSS.

(Sandeep Kumar, J)

pawan/-

U		T	
---	--	---	--

