

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5719 of 2023

Arising Out of PS. Case No.-878 Year-2014 Thana- SASARAM NAGAR District- Rohtas

Arvind Kumar @ Arvind Kumar Singh S/O Late Vishwanath Singh Village- Jagdishpur, Ps. Jagdishpur, Dist. Bhojpur, The Then Circle Officer, Tilouth Block, Dist. Rohtas (Sasaram)

... .. Appellant/s

Versus

1. The State of Bihar
2. Ramakant Paswan S/O Gaya Prasad Village- Mirzapur, Ps. Tilauthu, Dist. Rohtas (Sasaram)

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Sadanand Roy, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 18-11-2025 Despite valid service of notice, none appears on behalf of the respondent no. 2.

2. Heard learned counsel for the appellant and the State.

3. This appeal has been filed against the order dated 10.10.2023 passed by learned Additional District Judge-XVII-cum-Exclusive Special Judge, SC/ST Act, Rohtas at Sasaram in connection with Sasaram (Tilauthu) P.S. Case No. 878 of 2014, registered under Sections 379, 114, 120B of the Indian Penal Code and Section 3(i)(x) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellant has been rejected.



4. As per prosecution case, all the F.I.R. named accused persons robbed the crop, threatened and abused informant and his family members by caste name and this appellant who was posted as Circle Officer of that area did not take any action against the accused persons.

5. Learned counsel for the appellant submits that appellant already issued necessary orders to provide protection, but the same was not carried out by the police officials. At best, it is a case of administrative lapse or negligence. There is no allegation that this appellant abused informant and others by caste name as such, no case under SC/ST Act is made out against him. Appellant claims clean antecedent.

6. Learned Spl. Public Prosecutor for the State vehemently opposed the bail application.

7. Considering the aforesaid facts, let the appellant, as named above, in the event of his arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-XVII-cum-Exclusive Special Judge, SC/ST Act, Rohtas at Sasaram in connection with Sasaram (Tilauthu) P.S. Case No. 878 of 2014.



8. Accordingly, this criminal appeal is allowed and impugned order dated 10.10.2023 is set aside with respect to this appellant only.

(Prabhat Kumar Singh, J)

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