

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.137 of 2025

Arising Out of PS. Case No.-85 Year-2024 Thana- Bariyarpur District- Muzaffarpur

Laddu singh @ Aniket Kumar Rana @ Aniket Kumar S/O Pawan Kumar
singh @ Pawan Kumar Resident of village-Mahmadpur Banwari, P.S-
Bariyarpur, District-Muzaffarpur, Bihar.

... .. Appellant/s

Versus

1. The State of Bihar
2. Suman Paswan S/O Ramdev Paswan Resident of village-Mahmadpur
Banwari, P.S-Bariyarpur, District-Muzaffarpur, Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Prabhat Kumar Singh, Adv.
For the Respondent/s : Mr.Binay Krishna, SPP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 19-06-2025 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State. In spite of valid service
of notice upon the respondent no.2, no one has appeared on his
behalf. Perused the case diary.

2. The instant appeal has been filed by the appellant
against the order dated 21.11.2024 passed by learned Special
Judge, Scheduled Caste and Scheduled Tribes (Prevention of
Atrocities) Act, Muzaffarpur whereby the prayer for bail of the
appellant in connection with Bariyarpur P.S. Case No. 85 of
2024 under Sections 126, 115(2), 109, 303(2) of the B.N.S. and
Sections 3(1)(r)(s), 3(2)(va) of SC/ST Act was rejected.

3. As per prosecution case, the appellant is an accused



of abusing and assaulting the Informant, who is a member of the Scheduled Caste/Tribe, with an intent to kill.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case due to local village politics. Learned counsel for the appellant further submits that from the injury report, it appears that the injury sustained by the Informant is simple in nature caused by hard and blunt substance. Learned counsel for the appellant further submits that the appellant has not taken the caste name of the informant and, hence, no offence under the provisions of SC/ST Act is made out against him. The appellant has no intention to disgrace the image of the informant in public view. The appellant is in custody since 22.10.2024 and has four criminal antecedents. Charge-sheet has been submitted in this case under Sections 126(2)/115(2)/110/352/351(2) of the B.N.S. and Sections 3(1)(r)(s) of the SC/ST Act.

5. Learned Special P.P. for the State has vehemently opposed the prayer for grant of bail to the appellant, stating that the offence alleged is serious in nature.

6. Having heard learned counsel for the parties and considering the entire facts and circumstances of the case as also the period of custody undergone by the appellant, this Court is



inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 21.11.2024 passed by learned Special Judge, Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, Muzaffarpur is hereby set aside.

7. Let the appellant, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bariyarpur P.S. Case No. 85 of 2024, subject to following conditions;

(i) One of the bailor(s) shall be the own/close family members of the appellant.

(ii) The appellant shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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