

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.267 of 2026

Arising Out of PS. Case No.-375 Year-2025 Thana- DALSINGHSARAI District- Samastipur

Aditya Kumar Singh @ Aditya Singh@Aditya Kumar Son of Madho Singh
@ Vinay Kumar Resident of ward number 14, Village- Shambhua, Kamraon
Tol, P.S- Dalsingsarai, District- Samastipur.

... .. Appellant/s

Versus

1. The State of Bihar
2. Chandan Kumar Mahto Son of Laxmi Mahto Resident of Village-Kamraon,
Near Durga Mandir, Panchyat Bhavan, P.S- Dalsingsarai, District-
Samastipur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Mritunjay Kumar, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Special PP
For the Informant	:	Ms. Rani Shashi Bharti, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 29-06-2026 1. Heard learned counsel for the appellant, learned
Special P.P. for the State, Mr. Sadanand Paswan and the learned
counsel appearing on behalf of the informant.

2. This is an appeal under Section 14-A(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST
Act”) against the refusal of prayer for anticipatory bail vide
order dated 22.12.2025 in A.B.P. No. 3014 of 2025 passed by
the learned Special Judge S.C./S.T. (POA) Act, Samastipur in
connection with Dalsingsarai P.S. Case No. 375 of 2025
registered for the offences punishable under Sections 191(2),



190, 126(2), 115(2), 109 and 352 of the BNS, 2023 as well as Sections 3(1) (r) and 3(1)(s) of the SC/ST Act.

3. Learned counsel for the appellant submits that appellant is a person with clean antecedent and is a young boy aged 18-19 years and the informant alleges that on 30.09.2025 he had gone to the temple at 09:30 PM when Sonu and appellant along with 8-10 unknown accused entered the temple wearing slippers on which informant objected, thereafter accused persons abused him by taking caste name and when members of the Committee asked them to leave the temple premises, when appellant while leaving the temple assaulted him by an iron fighter causing injury on head.

4. Learned counsel appearing on behalf of the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is next submitted that appellant had earlier approached the Juvenile Court for getting himself declared a juvenile, but then the said application was rejected thereafter the appellant did not challenge the order by which his plea of juvenility was rejected and thereafter moved before the learned District Court seeking anticipatory bail which came to be rejected and is impugned in the instant appeal. It is further submitted that as far as allegation of abuse is alleged, the



same is not specific. It is also submitted that it does not appear probable that appellant along with other accused persons would have abused the informant by taking caste name in one go. It is next submitted that no doubt allegation of assault is alleged, but then the same is exaggerated. It is further submitted that even presuming what has been alleged is true without admitting then the injury suffered by the injured has been opined to be simple in nature and the blow is not alleged to have been repeated. It is reiterated and submitted that appellant is a young boy aged about 18-19 years and is not a criminal and if he is sent to judicial custody, his entire career would get jeopardized and chances are bright that he may come in contact with hardened criminals.

5. Learned Special P.P. for the State as well as the learned counsel appearing on behalf of the informant opposes the appeal, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the appellant that allegation of abuse is not specific and the blow is not alleged to have been repeated and the informant suffered simple injury and appellant is not a criminal.

6. In view of the submissions made by the learned counsel for the appellant, the order dated 22.12.2025 in A.B.P.



No. 3014 of 2025, **is hereby set aside** and the appellant above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor court in connection with Dalsingsarai P.S. Case No. 375 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. Accordingly, the appeal stands allowed.

(Satyavrat Verma, J)

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