

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.520 of 2026

Arising Out of PS. Case No.-505 Year-2025 Thana- BANIAPUR District- Saran

Sushil Kumar Son of Prem Shankar Sah Resident of Village- Sareya Police Station -Baniyapur District -Saran

... .. Appellant/s

Versus

1. The State of Bihar
2. Banti Kumar Ram Son of Rama Shankar Das Resident of Village- Sareya Police Station -Baniyapur District -Saran

... .. Respondent/s

Appearance :

For the Appellant/s : Ms. Mili Kumari, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 3 20-07-2026 1. Heard learned counsel for the appellant and learned Special Public Prosecutor for the State.
2. No one appears on behalf of the informant.
3. 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 07.01.2026 in A.B.P. No. 4888 of 2025 passed by the learned Exclusive Special Judge, SC/ST, Saran at Chapra in connection with Baniyapur (Baiyapur) P.S. Case No. 505 of 2025 registered under Sections 126(2), 115(2), 117(2), 109, 352, 351(2) and 3(5) of the BNS as well as Sections 3(1)(r)(s) and 3(2)(va) of the SC/ST Act.



4. Learned counsel appearing on behalf of the appellant submits that appellant is a person with clean antecedent and the informant alleges that on 22.11.2025, he had gone to see a wedding ceremony, when Deepak abused him by taking caste name and on objection, Deepak called the appellant, Manish and 5-6 unknown accused and all the accused assaulted the informant and Deepak assaulted him by an iron rod causing injury on head.

5. Learned counsel for the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is further submitted that thrust of the allegation of assaulting and abusing the informant is against Deepak and the appellant came to be implicated in the instant case with general and omnibus allegation of assault. It is next submitted that even presuming what has been alleged is true without admitting then thrust of the allegation is against Deepak.

6. Learned Special Public Prosecutor for the State opposes the prayer for anticipatory bail of the appellant.

7. Considering the submissions made by the learned counsel appearing on behalf of the appellant, let the appellant, above-named, in the event of his arrest or surrender within a period of six weeks from the date of receipt of the order, 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 in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

8. Accordingly, the impugned order is set aside and this appeal stands allowed.

(Satyavrat Verma, J)

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