

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.581 of 2026

Arising Out of PS. Case No.-56 Year-2025 Thana- SC/ST District- Bhojpur

Manoj Singh @ Manoj Kumar Singh, S/o Jhalan Singh @ Jhalan Prasad Singh, R/o Village- Dhamar, P.S- Ara, Muffasil, District- Bhojpur.

... .. Appellant/s

Versus

1. The State of Bihar
2. Ganga Vishnu Baitha, S/o Late Saryu Baitha, R/o Village- Dhamar, P.O- Dhamar, P.S- Ara Muffasil, District- Bhojpur.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Ashok Kumar Singh, Advocate
For the State	:	Mr. Ajay Kumar Jha, APP
For the Respondent 2	:	Mr. Anil Kumar Singh, Advocate
		Mr. Pravin Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT

Date : 17-07-2026

Heard learned counsel for the appellant, learned Special PP for the State and learned counsel for the respondent no.2.

2. This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail by order dated 21.01.2026 passed by the learned 1st Additional Sessions Judge-cum- Special Judge, SC/ST Act, Bhojpur at Ara in SC/ST P.S.Case No. 56 of 2025, registered under Sections 126(2), 115(2), 109, 351(2), 352 of BNS and Sections 3(1) (r) (s)/ 3 (2) (v) of the SC/ST Act.



3. As per prosecution case, the appellant abused the informant/respondent no.2 by taking his caste name while the respondent no.2 had been attending the feast. Thereafter, while returning to his house, respondent no.2 was assaulted by the appellant by means of steel torch making his unconscious.

4. The learned counsel for the appellant submits that the appellant is innocent and has been falsely implicated in this case. The prosecution story is not believable. A number of persons from the community of respondent no.2 had been taking meal on the eve of *Shradh Bhoj* and allegation on this count is not believable that the appellant signaled out the respondent no.2. In fact, respondent no.2 is a drunkard and he sustained injuries in inebriated condition and taking advantage of this fact falsely implicated the appellant. This fact is also apparent from the delay in lodging the FIR as the FIR has been instituted after six days of the occurrence without any explanation. The learned counsel further submits that even the injury of the respondent no. 2 is superficial and was opined to be simple in nature. The appellant is having antecedent of one case and he is on bail in that case.

5. The learned Special PP as well as learned counsel appearing on behalf of the respondent no.2 oppose the



submission made on behalf of the appellant. The learned counsel for the respondent no.2 submits that there is specific allegation against the appellant for taking caste name of the respondent no.2 in public place before a number of persons and subsequently, the appellant also assaulted the respondent no.2 by a steel torch causing injury to him and the injury report supports the allegation against the appellant.

6. Perused the records.

7. Having regard to the facts and circumstances of the case and submissions made on behalf of the parties and considering the doubtful nature of allegation and possibility of false accusation and *prima facie* absence of any cogent materials against the appellant to make out a case under the provisions of SC/ST Act, let the appellant above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum- Special Judge, SC/ST, Bhojpur at Ara, in connection with SC/ST P.S. Case No. 56 of 2025, subject to the condition as laid down under Section 482(2) of BNSS and other following conditions:

(i) One of the bailors will be a close relative of



the appellant.

(ii) The appellant will remain present on each and every date fixed by the court below, if so required by the learned trial court.

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

(Arun Kumar Jha, J)

V.K.Pandey/-

AFR/NAFR	NAFR
CAV DATE	NA
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