

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.948 of 2026

Arising Out of PS. Case No.-111 Year-2025 Thana- MANSURCHAK District- Begusarai

Nikhil Kumar @ Jagmohan Singh S/o Late Dharendra Singh @ Dhiro Singh
@ Dharendra Prasad Singh R/o vill - Samsa, ward no. 06, P.S.- Mansoorchak,
Distt.- Begusarai

... .. Appellant/s

Versus

1. The State of Bihar
2. Rahul Kumar Paswan S/o Parsadi Paswan R/o vill - Purani Chak, ward no. 4, P.S.- Mansoorchak, Distt- Begusarai

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Krishna Prabhat, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, SPP
For the Respondent No.2:	:	Mr. Rajesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-07-2026 Heard Mr. Krishna Prabhat, learned counsel for the appellant, Mr. Rajesh Kumar, learned counsel appearing on behalf of the Respondent No. 2 as well as Mr. Sadanand Paswan, learned Spl.P.P. for the State.

2. This is an appeal under Sections 14(A)(2) against refusal of the prayer for anticipatory bail by order dated 18.02.2026 passed by the learned Court of Exclusive Special Judge, SC/ST (PoA) Act, Begusarai in connection with Mansoorchak P.S. Case No. 111 of 2025, F.I.R. dated 29.10.2025 registered under Sections 126(2), 115(2), 109, 303(2), 352, 351(2) and 3(5) of the BNS, 2023 and Sections 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes Act.



3. According to the prosecution case, all the accused persons including this appellant have assaulted the Respondent No. 2 by means of pistol, iron rod and brick and also snatched several articles from him.

4. Learned counsel for the appellant submits that appellant is innocent and he has falsely been implicated in the present case. It appears from the FIR itself that due to some petty dispute the present occurrence has taken place. Although the appellant is named in the FIR but from perusal of the FIR it appears that the only allegation against the appellant is that he has assaulted to the informant by means of brick due to which he received injury but the same is simple in nature.

5. Learned counsel appearing on behalf of the Respondent No. 2 as well as learned Special Public Prosecutor for the State have vehemently opposed the prayer for bail of the appellant and submits that the appellant has actively participated in the present crime in question and he has assaulted to the person belonging to SC/ST category. Apart from that, the appellant carries two criminal antecedents other than the present one but fairly submits that he is on bail in both the pending matters.

6. After hearing the parties, in my view for the



purpose of this anticipatory bail, no offence under the provisions of Scheduled Castes and Scheduled Tribes Act is made out.

7. Hence, let the appellant, above named, in the event of their arrest to surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Special Judge, SC/ST (PoA) Act, Begusarai in connection with Mansoorchak P.S. Case No. 111 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Appellant shall co-operate 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the appellant tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the appellant and in case at



any stage it is found that the appellant has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the appellant. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

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

(Rajesh Kumar Verma, J)

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