

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1082 of 2025

Arising Out of PS. Case No.-345 Year-2024 Thana- CHAKAND District- Gaya

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1. Raushan Kumar S/O Jitendra Prasad R/o Village- Madan Bigha, P.S.- Chakand, Distt.- Gaya
 2. Chedi @ Manish Kumar S/O Sunil Prasad @ Sunil Kumar R/o Village- Madan Bigha, P.S.- Chakand, Distt.- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Dhiraj Kumar S/O Suresh Chaudhary R/o Village- Harigawn, P.S.- Chakand, Distt.- Gaya

... .. Respondent/s

Appearance :

For the Appellants	:	Mr. Pintu Kumar Patel, Advocate
For the State	:	Mr. Sadanand Paswan, Spl.PP
For the Informant	:	N o n e

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 09-07-2026 Heard learned counsel appearing for the appellants and learned Special Public Prosecutor appearing for the respondent-State.

2. Despite valid service of notice, no body appears on behalf of the informant/Respondent No. 2.

3. This appeal has been filed for setting aside order dated 12.02.2025 passed in a case registered for the offence punishable under Sections 127(1), 115(2), 117(2), 303(2), 351(2) and 3(5) of the B.N.S. and Sections 3(1)(s) and 3(1)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of



Atrocities) Act, whereby the prayer for grant of anticipatory bail of these appellants has been rejected.

4. As per prosecution case, informant alleged that on 19.12.2024 at about 6:30 PM, while he was returning home, in the meantime, these two appellants abused him by caste name, assaulted him and snatched Rs. 25,000/- cash from his pocket and fled away.

5. It is submitted by learned counsel appearing on behalf of the appellants that appellants are quite innocent and have committed no offence. Both parties are co-villagers and due to petty dispute, this false and concocted case has been lodged. Allegation of assault is general and omnibus and no specific accusation of overt act has been levelled against these appellants. Rest of the allegations are ornamental in order to make the case grave. It is further submitted that it is not the case of the prosecution that any member of public was present at the place of occurrence and as such, no case under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is made out against these appellants.

6. Learned Spl. P.P. appearing for the respondent-State has opposed the prayer for grant of bail to the appellants.

7. Considering the facts and circumstances of the case



and general and omnibus nature of accusation, this appeal is allowed and the impugned order dated 12.02.2025 passed by the learned Exclusive Special Judge, S.C./S.T., Gaya in connection with A.B.P. No. 26 of 2025 arising out of Chakand P.S. Case No. 345 of 2024 is hereby set aside with respect to these appellants.

8. Accordingly, let the appellants, named above, in the event of arrest/surrender within a period of eight weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, S.C./S.T. (POA) Act, Gaya in connection with Chakand P.S. Case No. 345 of 2024.

(Prabhat Kumar Singh, J)

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