

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1119 of 2025

Arising Out of PS. Case No.-1074 Year-2023 Thana- MUNGER COMPLAINT CASE
District- Munger

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Birendra Chaudhary S/O Late Sumran Chaudhary R/O Vill - Bahadur Nagar
Shivram Chaudhary Tola, Kutlupur, P.S.- Mufasil, Dist- Munger

... .. Appellant/s

Versus

1. The State of Bihar
2. School Paswan S/o Late Ramchandra Paswan R/o vill - Bahadur Nagar tirasi
Tola, Kutlupur, Diyara, P.s.- Mufassil, Distt.- Munger

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Jyoti Ranjan Jha
For the Respondent/s	:	Mr. Binay Krishna
For the Res No. 2	:	Mr. Rakesh Kumar

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 12-03-2026 Heard learned counsel for the appellant, the learned

Spl. P.P. for the State including the learned counsel for the

informant.

2. This appeal is preferred against the order dated
4.01.2025 passed by the learned Additional Sessions Judge-1-
cum-Special Judge, SC/ST Act, Munger in ABA No. 1764 of
2024 arising out of Complaint Case No. 1074 of 2023 for the
offence under Sections 379 and 504 of the Indian Penal Code
and under Sections 3(i)(r), 3(i)(s) of the SC/ST Act, by which
the prayer of the appellant for anticipatory bail was rejected.

3. The complainant, School Paswan, filed a complaint
on 05.10.2023 alleging that he worked for 15 days as a daily



laborer in the field of Birendra Choudhary (the appellant). When he went to the appellant's house to demand his wages of Rs. 6,000/-, the appellant allegedly abused him using caste-based slurs. On 17.09.2023, while returning from work around 5:00 P.M., the appellant, along with five others, allegedly restrained the complainant, abused him in filthy language, physically assaulted him, and took Rs. 3,100/- from his pocket.

4. Learned counsel for the appellant submits that the appellant has falsely been implicated in this case and no offence under the provisions of SC/ST Act is made out in this case and therefore the application of the anticipatory bail is maintainable. He further submits that the appellant, without accepting his guilt, is ready to pay Rs. 10,000/- to the complainant.

5. Learned counsel for the State and the learned counsel for the informant have vehemently opposed the prayer of the appellants.

6. From the reading of the entire complaint, it appears that the dispute has arisen on account of non-payment of wages.

7. In these circumstances and taking note of the willingness of the appellant to make a payment to the complainant, this application for grant of anticipatory bail is held to be maintainable and the same stands allowed.



8. Accordingly, the order dated 04.01.2025 passed by the learned Additional Sessions Judge-1-cum-Special Judge, SC/ST Act, Munger in ABA No. 1764 of 2024 arising out of Complaint Case No. 1074 of 2023 is hereby set aside.

9. Let the appellant, in the event of his arrest or surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned concerned Court where the case is pending/Successor Court in connection with Complaint Case No. 1074 of 2023, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the BNSS and with a further condition that:-

(I). At the time of furnishing bail bonds, the appellant shall produce a demand draft of Rs. 10,000/- in favor of the complainant. After verification of the genuineness of the demand draft, the learned Court below shall accept the bail bonds of the appellant; in the event the demand draft is found not to be genuine, the Court shall pass such appropriate orders as deemed fit.

(Sandeep Kumar, J)

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