

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1388 of 2025

Arising Out of PS. Case No.-518 Year-2024 Thana- SUPAUL District- Supaul

Sudheer Mandal @ Sudhir Kumar S/o Late Viraay Mandal R/o Village- Nagar
Parishad Ward No. 28, P.S. and District- Supaul

... .. Appellant/s

Versus

1. The State of Bihar
2. Pradeep Paswan S/o Late Upender Paswan R/o Supaul, Ward no.- 28, Tola-
Babhani Chakla, P.S.- Supaul, Dist.- Supaul, Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ranjay Kumar Singh, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl.PP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

5 25-02-2026 Heard learned counsel for the appellant and learned

Special Public Prosecutor appearing for the State. Although the
notice has been validly served upon respondent No.2, there is no
representation on his behalf.

2. This appeal under Section 14A(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 has been directed against the order dated
05.02.2025 passed by learned Additional District and Sessions
Judge, 1st-cum-Special Judge, Supaul in A.B.P. No. 1511 of
2024 arising out of Supaul P.S. Case No. 518 of 2024 registered
under Sections 126(2), 115(2), 118(1), 109, 308(5), 303(2), 352
and 3(5) of B.N.S. and Section 3(1)(r)(s) of Scheduled Castes



and Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby the prayer for grant of anticipatory bail of the appellant has been rejected.

3. As per the prosecution case, on 02.08.2024 at about 02.30 P.M, while the informant took care of depo, the co-accused persons Mithlesh @ Mithu Mandal and Raja Mandal along with two other persons riding on motorcycle came to his depo and started demanding Rs. 1000/- while hurling caste based abuses to him. When the informant objected, the co-accused Mithlesh @ Mithu Mandal took out a pistol and pointed on him, while two unknown miscreants caught hold of his hands and the co-accused Raja Mandal snatched Rs. 7500/-from his pocket pointing knife on his abdomen. When he tried to raise alarm, the co-accused Raja Mandal inflicted knife blow on the head of the informant due to which he sustained injury on his right eye and then assaulted with butt of the pistol due to which he sustained injury. It is further alleged that when the appellant came on motorcycle, the co-accused Raja Mandal returned and snatched money. On the order of appellant, the co-accused persons abused by taking caste name and beaten badly due to which he sustained injury, thereafter they fled away from there. The nearby people came there and the informant was taken to



hospital for treatment.

4. Learned counsel appearing for the appellant submits that the appellant, who bears clean antecedent, is innocent and has not committed the offence alleged. It is further submitted that the allegation of assault is against co-accused Mithlesh @ Mitthu Mandal and co-accused Raja Mandal and the appellant has been shown to be present at the spot alleging that he was handed over the snatched money and the allegation of abuse is not within public view. Learned counsel for the appellant has further submitted that in fact he has been falsely implicated through such allegation as the wife of the appellant has previously filed in complaint case bearing Complaint Case No. 876 of 2024 against the informant and his family members and hence false allegation has been levelled against the appellant.

5. Learned Special Public Prosecutor for the State has vehemently opposed the prayer for grant of anticipatory bail to the appellant.

6. Considering the entire facts and circumstances of the case and also the fact that the appellant bears clean antecedent, coupled with the fact that the appellant has not assaulted the informant's side in any manner and the allegation



against him appears to be on the backdrop of previous litigation between the parties and alleged abuse not having been made within the public view, let the above named appellants let the above named appellant, in the event of his arrest/surrender within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge, 1st-cum-Special Judge, Supaul in connection with Supaul P.S. Case No. 518 of 2024 subject to the conditions laid down under Section 482(2) of the B.N.S.S.

7. Accordingly, this appeal is allowed and the impugned order dated 05.02.2025 rejecting the prayer for grant of anticipatory bail to the appellant is set aside.

(Praveen Kumar, J)

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