

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1473 of 2025

Arising Out of PS. Case No.-13 Year-2025 Thana- SC/ST District- Samastipur

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1. Sachin Giri @ Sachin Kumar Giri S/o Ranjit Giri R/o Village- Raipur P. S. - Ujiyarpur Dist. - Samastipur
 2. Rahul Giri @ Rahul Kumar S/o Sanjeet Giri @ Ranjit Giri R/o Village- Raipur P. S. - Ujiyarpur Dist. - Samastipur
 3. Govind Giri @ Govind Kumar Giri S/o Ranjit Giri R/o Village- Raipur P. S. - Ujiyarpur Dist. - Samastipur

... .. Appellant/s

Versus

1. The State of Bihar
2. Aklu Paswan S/o Late Jagdu Paswan R/o vill - Raipur, P.s.- Ujiyarpur, Distt.- Samastipur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Dilip Kumar Roy, Advocate
For the Respondent no. 2	:	Mr. Barun Kumar Singh, Advocate
For the State	:	Mr. Binay Krishna, Spl PP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

4 26-02-2026 Heard learned counsel for the appellants, learned counsel for the Respondent No. 2 and learned Special Public Prosecutor appearing for the State.

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 26.03.2025 passed by learned Special Judge SC/ST (PoA) Act, Samastipur, in A.B.P. No. 582 of 2025 in connection with



SC/ST P.S. Case No. 13 of 2025, registered under Sections 126(2), 115(2), 303(2), 329(4), 352, 351(2) and 3(5) of the B.N.S read with Section 3(1)(r), 3(1)(s), 3(1)(w) and 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for grant of anticipatory bail of the appellants has been rejected.

3. As per the prosecution case, on 20.01.2025 at around 7:00 P.M., the informant was at his home and after hearing noise/scream of his grandson, Sumit Paswan, he along with his sons rushed there and saw that Sachin Giri (appellant no. 1), Mantosh Giri and Bittu Giri were surrounding Sumit Paswan, hurling caste-based slurs and beating him and when the informant tried to rescue his grandson, then all the accused persons threatened him with dire consequences and fled away on their motorcycles. It is further alleged that twenty minutes later, the appellants and the co-accused persons arrived and forcibly entered the house of the informant and destroyed utensils and furniture. Thereafter, they started assaulting the informant by means of bomboo stick and abused him by calling his caste name. When family members of the informant intervened to rescue him, they also assaulted them. When the villagers gathered, then all the accused persons fled away,



leaving their motorcycle bearing Registration No. BR33AK6301 and the informant and his family members were taken to Sadar Hospital, Samastipur for treatment.

4. Learned counsel appearing for the appellants submits that the appellants bear clean antecedent and are innocent. It is further submitted that there is no specific allegation against the appellants rather the allegation against the appellants are general and omnibus in nature. It is submitted that the appellants and the informant are co-villagers. The grandson of the informant is friend of the appellants and it is stated that for petty matter, they have quarreled and during that some scuffling took place which was settled down after intervention of both sides. Moreover, the co-accused persons, Bittu Giri and Vinod Giri have already been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court in Cr. Appeal (S.J.) No. 1614 of 2025 vide order dated 12.11.2025 and the case of the appellants are similar to that of the aforesaid co-accused persons. As regards allegation of abuse with the caste name attracting the rigours of SC & ST Act is concerned, it is not committed in a public place nor any person has been named to be present at the place of occurrence when the alleged offence of abuse was being committed. He further submits that no case,



as alleged in the F.I.R, attracting rigours of SC & ST Act, is made out against the appellants. Hence, the impugned order may be set aside and the appellants may be granted the privilege of anticipatory bail.

5. Learned Special Public Prosecutor for the State and learned counsel for the Respondent no. 2 have vehemently opposed the prayer for grant of anticipatory bail to the appellants.

6. Considering the entire facts and circumstances of the case and the fact that the appellants bear clean antecedent coupled with the fact that the co-accused persons having more or less similar allegation, have already been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court and the allegation of abuse by caste name does not appear to be within public view, let the above named appellants in the event of their arrest/surrender within a period of six weeks be released 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 the learned Special Judge SC/ST (PoA) Act, Samastipur, in connection with SC/ST P.S. Case No. 13 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S/Section 438(2) of the Cr.P.C.



7. Accordingly, this appeal is allowed and the impugned order dated 26.03.2025 rejecting the prayer for grant of anticipatory bail to the appellants is, hereby, set aside.

(Praveen Kumar, J)

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