

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1848 of 2025

Arising Out of PS. Case No.-2 Year-2025 Thana- OBRA District- Aurangabad

=====

Ramdutt Singh @ Ramdat Singh @ Ramdut Singh S/O Late Raghunath Singh
R/O Vill.- Dube Bigha Kara, P.s.- Obra, Dist.- Aurangabad.

... .. Appellant/s

Versus

1. The State of Bihar Patna
2. Ramswrup Ram S/O Late Gogardhan Ram R/O Vill.- Rajpur, P.s.- Mufassil,
Dist.- Aurangabad.

... .. Respondent/s

=====

Appearance :

For the Appellant/s	:	Mr. Rupa Kumari, Advocate
For the State	:	Ms. Usha Kumari 1, Spl PP
For the Respondent No. 2	:	Mr. Madhuresh Singh, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

5 13-02-2026 Heard learned counsel for the appellant, 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 Caste and Scheduled Tribes (Prevention of

Atrocities) Act, 1989 has been directed against the order dated

08.04.2025 passed by learned District and Additional Sessions

Judge-1st-cum- Special Judge (SC/ST and NDPS Act),

Aurangabad, in A.B.P. No. 633 of 2025 in connection with Obra

P.S. Case No. 02 of 2025, registered under Sections 126(2),

115(2), 109(1), 303(2) and 352 of the B.N.S read with Section

3(1)(r), 3(1)(s) and 3(2)(va) of Scheduled Castes and Scheduled



Tribe (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, the informant Ramswaroop Ram, alleged that he purchased 79 decimal land in the name of his wife, namely, Manmati Devi in the year 1993 which is situated at Dubey Bigha Kara, Aurangabad. It is further alleged that on 19.12.2024 at about 1:00 P.M., the informant went to the said land for ploughing, at that very moment, Ramdutt Singh (appellant) arrived and started abusing the informant by using derogatory language with regard to his caste name and suddenly hit on the head of the informant by means of sharp edged weapon due to which he sustained injury on his head, subsequently, he fell down on the ground. It is further alleged that the appellant took Rs. 20,000/- from the pocket of the informant and also snatched gold chain from his neck. Further, the villagers took the informant to the Primary Health Centre and from there he was referred to Sadar Hospital for further treatment.

4. Learned counsel appearing for the appellant submits that the appellant bears clean antecedent and is innocent. It has been further submitted that the allegation has been levelled in the backdrop of serious land dispute between



the parties. Moreover, the injuries upon the informant appears to be simple in nature and the Doctor has not mentioned the nature of weapon used and there is no repetition of blow. He further submits that from a bare perusal of the FIR the same appears to be a concocted story and no such alleged occurrence took place. 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. Hence, the impugned order may be set aside and the appellant may be granted the privilege of anticipatory bail.

5. Learned Special Public Prosecutor for the State as well as learned counsel for the Respondent No. 2 has vehemently opposed the prayer for grant of anticipatory bail to the appellant and submitted that the informant has been abused and assaulted because of his caste and the accused persons are trying to grab the land of the informant.

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 injury is simple in nature without any repetition of assault and the allegation does



not come under the purview of SC/ST Act, 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 District and Additional Sessions Judge-1st-cum- Special Judge (SC/ST and NDPS Act), Aurangabad, in connection with Obra P.S. Case No. 02 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 08.04.2025 rejecting the prayer for grant of anticipatory bail to the appellant is, hereby, set aside.

(Praveen Kumar, J)

Jyoti/-

U		T	
---	--	---	--

