

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1876 of 2025

Arising Out of PS. Case No.-27 Year-2025 Thana- TISIAUTA District- Vaishali

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1. Ramesh Rai @ Ramesh Kumar Rai Son of Late Dukha Rai Vill-Laxminarayanpur,P.O-Tisiauta,P.S-Tisiauta, Dist- Vaishali
 2. Aniket @ Aniket Kumar son of Ashok Rai Vill-Laxminarayanpur,P.O-Tisiauta,P.S-Tisiauta, Dist- Vaishali
 3. Ajeet @ Ajeet Kumar son of Ashok Rai Vill-Laxminarayanpur,P.O-Tisiauta,P.S-Tisiauta, Dist- Vaishali
 4. Ashok Rai Son of Sipahi Rai Vill-Laxminarayanpur,P.O-Tisiauta,P.S-Tisiauta, Dist- Vaishali

... .. Appellant/s

Versus

1. The State of Bihar
2. Lakhan Deo Das Son of Late Suraj Das Vill-Laxminarayanpur Ward no. 13 ,P.S-Tisiauta, Dist- Vaishali

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Arvind Kumar Sinha, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl PP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

3 18-02-2026 Heard learned counsel for the appellants 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 22.04.2025 passed by learned I/C Exclusive Special Judge SC/ST (PoA) Act-cum-District and Additional Sessions Judge,



Vaishali at Hajipur in A.B.P. No. 794 of 2025 in connection with Tisiauta P.S. Case No. 27 of 2025, registered under Sections 191(2), 191(3), 190, 329(3), 352, 351(2), 115(2), 109 and 303(2) the B.N.S. read with Section 3(1)(r) and 3(1)(r) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for grant of anticipatory bail of the appellant has been rejected.

3. As per the prosecution case, on 24.02.2025 at about 7:30 P.M., the informant, namely, Lakhan Dev Das, was sitting at his door. Due to previous dispute, the appellants along with others co-accused persons armed with sharp-edged weapons, arrived and started hurling caste-based slurs at him. On being opposed by the informant, all the accused persons began assaulting him. When Abhishek Kumar (son of the informant) and Rajnandani Kumari (daughter of the informant) intervened to mediate the situation, co-accused Manish Kumar hit the head of Abhishek Kumar by means of iron rod with an intention to kill him and co-accused Vishal Kumar hit the daughter of the informant due to which she sustained severe injury. Further, all the accused persons forcibly entered the house of the informant and took away several gold ornaments and cash from the box. On *hulla*, the villages arrived, therefore,



all the accused persons ran away by giving life threats to the informant. Thereafter, the informant and his family members were taken to the hospital for treatment.

4. Learned counsel appearing for the appellants submits that the appellants bear clean antecedent and are innocent. He further submits that there is general and omnibus allegation against the appellants and specific allegation has been levelled against Manish Kumar and Vishal Kumar, although they were the initial appellants in this case but their prayer for anticipatory bail was withdrawn vide order dated 07.07.2025. 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 appellants may be granted the privilege of anticipatory bail.

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 the fact that the appellants bear clean antecedent



and the allegation does not seem to have been committed 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 I/C Exclusive Special Judge SC/ST (PoA) Act-cum-District and Additional Sessions Judge, Vaishali at Hajipur, in connection with Tisiauta P.S. Case No. 27 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 22.04.2025 rejecting the prayer for grant of anticipatory bail to the appellants is, hereby, set aside.

(Praveen Kumar, J)

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