

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2490 of 2025

Arising Out of PS. Case No.-240 Year-2025 Thana- SONEPUR District- Saran

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1. Ashok Singh @ Ashok Kumar Singh S/O Late Yogendra Singh Resident of Village- Naya Tola, Mirjapur, PS- Sonpur, Distt-Saran, Bihar
 2. Bittu Kumar @ Ankit Kumar @ Bittu S/O Ashok Singh @ Ashok Kumar Singh Resident of Village- Naya Tola, Mirjapur, PS- Sonpur, Distt-Saran, Bihar

... .. Appellant/s

Versus

1. The State of Bihar
2. Nirmala Devi D/O Late Vimal Paswan Resident of Village- Naya Tola, Mirjapur, PS- Sonpur, Distt-Saran, Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Prakash Chandra, Advocate
For the Respondent No. 2	:	Mr. Shakti Suman Kr. Advocate
		Mr. Akshay Tripathi, Advocate
For the State	:	Ms. Usha Kumari 1, Spl PP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

4 25-02-2026 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 28.05.2025 passed by learned Special Judge, SC/ST (PoA) Act, Chapra, Saran in A.B.P. No. 1667 of 2025 in connection with Sonepur P.S. Case No. 240 of 2025, registered under Sections 126(2), 115(2), 303(2), 118(2), 352, 351(2), 351(3) 3(5) of the



B.N.S read with Section 3(1)(r)(s) 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 14.03.2025 around 03:00 o'clock, the appellants and the co-accused Mintu Singh arrived at the informant's house and due to a land dispute, they began hurling caste based slurs at the informant. On being opposed, all the accused persons started assaulting the informant by means of iron rod due to which she sustained severe head injury and they also assaulted Bhusan Paswan (brother of the informant) due to which he became unconscious and fell on the ground. When Sarita Devi came to rescue the informant, she was also assaulted and Ashok Singh (appellant no. 1) snatched her gold mangalsutra and Bittu Kumar (appellant no. 2) took away cash of Rs. 3000/- from the house of Savita Devi. Co-accused Mintu Singh assaulted other family members of the informant by sword causing injuries to them. Thereafter, all were taken to Sadar Hospita, Hajipur, 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 a delay of three



days in lodging the FIR without giving any plausible explanation for the same. It has also been submitted that there is a case and counter case between the parties. It has further been submitted that it appears from the F.I.R. itself that there is general and omnibus allegation levelled against the appellants to have assaulted the informant and her brother. It has also been submitted that the injuries which are sustained by the injured are not grievous in nature. 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 and learned counsel for the informant 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 facts that there is a delay of three days in lodging the FIR and the allegation 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, Chapra, Saran, in connection with Sonapur P.S. Case No. 240 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 28.05.2025 rejecting the prayer for grant of anticipatory bail to the appellants is, hereby, set aside.

(Praveen Kumar, J)

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