

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3240 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- SC/ST District- Begusarai

Krishn Kumar Sah @ Krishna Sah S/o- Harihar Sah Village- Karoy
Khanjahanpur Ps- Cheriabariyarpur Dist- Begusarai

... .. Appellant/s

Versus

1. The State of Bihar
2. Ranjit Chaudhary son of Late Kshatri Chaudhary Village- Karoy
Khanjahanpur Ps- Cheriabariyarpur Dist- Begusarai

... .. Respondent/s

Appearance :

For the Appellant	:	Mr. Shubhesh Pandey, Advocate
For the State	:	Mr. Sadanand Paswan, Spl.PP
For Respondent No. 2	:	Mr. Ajay Kumar Sinha, Advocate Ms. Sanjana, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 29-01-2026 Heard learned counsel for the appellant, learned
Spl.PP for the State and learned counsel for the
informant/Respondent No. 2.

2. This appeal has been filed for setting aside order dated 03.07.2024, passed in a case registered for the offence punishable under Sections 341, 323, 324, 325, 379, 354B and 34 of the Indian Penal Code and Sections 3(1)(r)(s)(w) and 3(2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of the appellant has been rejected.

3. As per the prosecution case, informant alleges that when he, along with his mother, was going to their field on



22.05.2024, in the meantime, they were intercepted by the F.I.R. named accused person, including this appellant, near Kankarahi Ghat and they started abusing them by taking caste name and thereafter, co-accused Awadhesh Sah assaulted him by rod causing injury on hand. It is further alleged that co-accused Awadhesh Sah also assaulted his mother, unveiled her and this appellant snatched the golden *chakti*.

4. It is submitted by learned counsel appearing on behalf of the appellant that appellant is quite innocent and has committed no offence. From bare perusal of the F.I.R. it is apparent that there is absolutely no allegation of overt act against this appellant. The F.I.R. does not disclose that any member of public was present at the alleged incidence and as such, no case under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is made out against this appellant. It is further submitted that co-accused *Awadhesh Sah*, having similar and identical allegations, has already been granted the privilege of anticipatory bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 04.12.2025 passed in *Cr. Appeal (SJ) No. 3233 of 2024*. Appellant claims clean antecedents.

5. On the other hand, learned Special PP for the State



and learned counsel for the informant/Respondent No. 2 have vehemently opposed the prayer for grant of anticipatory bail to the appellant.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, claim based on parity and clean antecedents of the appellant, this appeal is allowed and the impugned order dated 03.07.2024 passed by the Court of learned Exclusive Special Judge, SC/ST (POA) Act, Begusarai in connection with A.B.P. No. 1240 of 2024 arising out of SC/ST P.S. Case No. 24 of 2024 is hereby set aside with respect to this appellant only.

7. Accordingly, let the appellant, named above, in the event of arrest/surrender within a period of eight weeks from the date of receipt/production of a copy of this order, be enlarged 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 Exclusive Special Judge, SC/ST (POA) Act, Begusarai in connection with SC/ST P.S. Case No. 24 of 2024.

(Prabhat Kumar Singh, J)

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