

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2753 of 2025

Arising Out of PS. Case No.-15 Year-2024 Thana- NANIJOR District- Buxar

Shiv Sagar Tiwari @ Lukudu Tiwari S/O Shrinath Tiwari @ Shirnath Tiwari
R/O Village- Chhotaki Nainijor, P.S.- Nainijor, Dist.- Buxar.

... .. Appellant/s

Versus

- 1 . The State of Bihar Patna
2. Ramchandra Yadav S/O Dhanpati Yadav R/O Village- Chhotaki Nainijor,
P.S.- Nainijor, Dist.- Buxar.
- 3 . Harendra Ram S/O Late Sudama Ram R/O Village- Chhotaki Nainijor, P.S.-
Nainijor, Dist.- Buxar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ajit Kumar , Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl. PP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 08-01-2026 Heard learned counsel for the appellant, learned Spl.

Public Prosecutor appearing on behalf of the State . Nobody
appears on behalf of respondent No. 2.

2. This appeal has been preferred on behalf of the
appellant for setting aside the order dated 13.06.2025 registered
for the offences punishable under 191(2), 191(3), 190, 126(2),
352 and 109(1) of the B.N.S. and Section 3(i)(r)(s) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, whereby the prayer for bail of the appellant has
been rejected.

3 . As per prosecution case, it is alleged that this appellant,



along with other accused persons, assaulted son of informant and two other persons. It is further alleged that this appellant fired due to which son of informant sustained fire arm injury on his left arm and also abused him by caste name .

4. It is submitted by learned counsel appearing on behalf of the appellant that the appellant is quite innocent and has falsely been implicated in this case. As a matter of fact, due to admitted land dispute, maar-peet took place in which both sides sustained injuries. There is case and counter-case between the parties. Appellant also sustained head injury. There is no allegation that castiest slur was made in a place within the public view of there was any member of public present at the spot, and as such, no case under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is made out against this appellant. Appellant claims clean antecedent. Appellant is in custody since 13.06.2025 .

5 . Learned Spl. Public Prosecutor for the State opposed the bail appeal.

6. Considering the aforesaid facts, period of custody and circumstances of the case , let the appellant, as named above 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 Session Judge
Ist-cum- Special Judge SC / ST (POA) Act, Buxar in
connection with Nainijor (Brampur) P.S. Case No. 15 of
2024 .

7. Accordingly, the impugned order dated 13.06.2025
is set aside and this criminal appeal is allowed.

(Prabhat Kumar Singh, J)

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