

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2785 of 2025

Arising Out of PS. Case No.-72 Year-2025 Thana- MIRGANJ District- Gopalganj

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1. Aman Singh @ Aman Kumar S/o- Late Arun Singh R/O- Khawajepur PS- Yadopur District- Gopalganj
 2. Bulet Singh @ Pawan Singh S/o- Ashok Singh R/O- Khawajepur PS- Yadopur District- Gopalganj
 3. Munna Singh @ Abishek Singh S/o- Ashok Singh R/O- Khawajepur PS- Yadopur District- Gopalganj

... .. Appellant/s

Versus

1. The State of Bihar
2. Ankit Kumar Paswan S/o- Nagina Paswan R/O- Hathtua More Rajmohan Ward No-23, PS- Mirganj District- Gopalganj

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shashank Shekhar
For the Respondent/s : Ms. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 30-06-2026 1. Heard learned counsel for the appellants, the learned Special P.P. Ms. Usha Kumari No.I for the State and the learned counsel appearing on behalf of the informant.

2. This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 18.06.2025 in A.B.P. No. 1029 of 2025, arising out of Mirganj P.S. Case No.72 of 2025, passed by the learned Additional Sessions Judge-XI-cum-Special Judge, SC/ST



(POA) Act, Gopalganj, registered under Sections 126(2), 115(2), 352, 351(2), 109, 3(5) of the BNS, 2023 and Sections 3(i)(r), 3(1)(s) of the SC/ST (POA) Act.

3. Learned counsel for the appellants submits that appellant no.1 has antecedent of two cases, as recorded in the supplementary affidavit and appellant no.2 and 3 are persons with clean antecedent and the informant alleges that he had gone to market 11.02.2025 at 4.30 P.M., when five named accused persons including the appellants along with 8-10 unknown accused came and abused him by taking caste name, on the pretext that informant and others do not vacate the pitch when they come to play, on which, informant said that they were playing from before, thereafter on order of Aman, all the accused persons forcibly put the informant in a car and took him to Jigna Government School and tied him and assaulted after unveiling him by belt, lathi and also video-graphed the occurrence, further his family members informed the police, who came and saved him.

4. Learned counsel for the appellants submits that appellants have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that



allegation of abuse and assault is general and omnibus in nature. It is further submitted that the informant alleges in the FIR that he was assaulted by the accused persons hence his family members called the police and when police came, the informant was saved but then no FIR was instituted on the date of occurrence rather the FIR came to be instituted on 15.02.2025 i.e. after a delay of more than four days, which casts an aspersion on the case of the prosecution.

5. Learned Special Public Prosecutor and the learned counsel appearing on behalf of the informant opposes the appeal but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the appellants that allegation of abuse and assault is general and omnibus in nature and the FIR was instituted after a delay of more than four days.

6. Considering the submissions of the learned counsel for the appellants, let the appellants, above named, in the event of their arrest or surrender within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.5,000/- (rupees five thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with the aforesaid case, subject to the conditions as laid down



under Section 482(2) of the BNSS.

7. Accordingly, the impugned order is set aside and
this appeal stands allowed.

(Satyavrat Verma, J)

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