

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2879 of 2025

Arising Out of PS. Case No.-31 Year-2025 Thana- Marnga District- Purnia

-
1. Sarita Kumari @ Sarita Devi W/O Chandan Ray @ Chandan Roy Resident of Village- Shivshakti Nagar, P.S.- Maranga, District- Purnea
 2. Chandan Ray @Chandan Roy S/O Suraj Narayan Jha @ Surya Narayan Ray Resident of Village- Shivshaki Nagar, P.S.- Maranga, District- Purnea

... .. Appellant/s

Versus

1. The State of Bihar
2. Manindara Kaushal S/O Late Gulai Ram Resident of Village- Shiv shakti Nagar, P.S.- Maranga, District- Purnea

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Md. Musowir, Advocate
For the Respondent/s : Mr. Usha Kumari 1, SPP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 09-02-2026 Heard learned counsel for the appellants and learned Special Public Prosecutor for the State. Perused the case diary.

2. The instant appeal has been filed by the appellants against the order dated 02.06.2025 passed by learned Special Judge, SC/ST (PoA) Act, Purnea whereby the prayer for anticipatory bail of the appellants in connection with Maranga PS Case No. 31 of 2025 instituted under Sections 117(2), 115(2), 308(2), 318(4), 118(1), 109, 303(2), 351(2), 352 & 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3(i)(r)(s) & 3(2)(va) of SC/ST Act was rejected.

3. Prosecution case, in short, is that all the FIR named



accused persons along with 5-6 unknown miscreants abused the informant by caste name, assaulted him, got his signature at gunpoint and on the direction of co-accused, Manju Devi, attacked him and his family with iron rod, dabiya, lathi and danda, dragged his wife by the neck and tore her clothes.

4. Learned counsel for the appellants submits that the appellants are innocent and have falsely been implicated in the present case. There is no specific allegation against the appellants, rather the same is general and omnibus in nature. Learned counsel for the appellants further submits that the appellants have not taken the caste name of the informant in public view. Hence, no offence under the provisions of SC/ST Act is made out against them. The appellants have no intention to disgrace the image of the informant in public view. The appellants have one criminal antecedent each. Similar co-accused has been granted regular bail by this Court vide order dated 03.07.2025 passed in Cr. Appeal (S.J.) No. 1424 of 2025.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the appellants.

6. Considering the aforesaid facts and circumstances of the case, there being no specific allegation against the



appellants and the period of custody undergone by the appellants, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 02.06.2025 passed by learned Special Judge, SC/ST (PoA) Act, Purnea is hereby set aside.

7. Let the appellants, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Maranga PS Case No. 31 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS, 2023.,

(Rudra Prakash Mishra, J)

Raj Kishore/-

U		T	
---	--	---	--

