

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2991 of 2025

Arising Out of PS. Case No.-24 Year-2025 Thana- SC/ST District- Vaishali

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1. Rakesh Singh @ Rakesh Kumar Singh S/O Late Ramchandra Singh R/O Village- Imdapur, PS- Bhagwanpur, Distt- Vaishali
 2. Amresh Singh S/O Late Ramchandra Singh R/O Village- Imdapur, PS- Bhagwanpur, Distt- Vaishali

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Satish Kumar Sinha Ms.Asmita Srivastav Mr.Sunil Kumar Singh
For the Respondent/s	:	Ms.Usha Kumari 1- Special P.P. Mr.Rajeev Ranjan No.II Ms.Kumari Seema Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 6 02-04-2026 1. Heard the learned counsel for the appellants, the learned Special Public Prosecutor for the State and the learned counsel appearing on behalf of the informant.
2. The appellants have challenged the order dated 10.06.2025 passed by the learned Exclusive Special Judge, SC/ST, Vaishali at Hajipur in connection with ABP No.1325 of 2025 arising out of SC/ST P. S. Case No.24 of 2025, instituted for the offences under Sections 115(2), 352, 351(2), 324(2), 324(6), 3(5) of the B.N.S. and Sections 3(1)(r)(s),3(2)(va) of the Scheduled Castes & Scheduled Tribes



(Prevention of Atrocities) Act, 1989, whereby their prayer for grant of anticipatory bail has been rejected.

3. The learned counsel appearing on behalf of the appellants submits that appellants have antecedent of two cases. It is further submitted that Sections of B.N.S. are bailable. It is further submitted that informant alleges that Rakesh came to his shop and committed theft of his laptop, on search it came to notice that Rakesh committed theft of laptop through CCTV. Further, brother of Rakesh namely Amresh on coming to know about the CCTV, handed over the laptop to his cousin brother after dismantling it. Accordingly, the informant along with his brother went to the house of Rakesh when accused persons including the appellants abused by taking caste and threatened them.

4. The 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 case diary, it would manifest that the supervision note records with regard to the CCTV footage, but then, supervision report is not admissible in evidence. It is further submitted that Rakesh had not committed theft of laptop



rather had taken the laptop after consent of the informant, but later it was found that the laptop was not working, hence it was returned. It is also submitted that it does not appear probable that had theft of laptop been committed, in that event, the brother of Rakesh would have gone to return the laptop. It is also submitted that as far as allegation of abuse and threat is alleged, the same is general and omnibus in nature and even presuming what has been alleged is true without admitting, then the entire occurrence took place in the house of the appellants, as such, was not in public view.

5. The learned Special P.P. as well as the learned counsel appearing on behalf of the informant opposes the appeal.

6. Regard being had to the aforesaid submissions, the order dated 10.06.2025 is set-aside.

7. The appeal stands allowed.

8. The appellants, above-named, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) each with two sureties



of the like amount each to the satisfaction of learned
Exclusive Special Judge, SC/ST, Vaishali at Hajipur in
connection with ABP No.1325 of 2025 arising out of SC/ST
P. S. Case No.24 of 2025, subject to the conditions laid
down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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