

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3277 of 2025

Arising Out of PS. Case No.-39 Year-2025 Thana- Kadirganj P.S. District- Nawada

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1. Goutam Kumar S/o Sudhir Singh Resident of Village- Poura, P.S.- Kadirganj, Dist.- Nawada
 2. Bittu Kumar @ Randhir Kumar S/o Sanjay Singh Resident of Village- Poura, P.S.- Kadirganj, Dist.- Nawada

... .. Appellant/s

Versus

1. The State of Bihar
2. Dinesh Chaudhary, son of Somar Chaudhary R/V- Poura, P.S.- Kadirganj, Dist- Nawada.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Amit Ranjan, Advocate.
For the State	:	Mrs.Usha Kumari 1, Spl. PP.
For the Informant	:	Mr. Saurav Barial, Advocate.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 24-02-2026 Heard learned counsel appearing on behalf of the appellants, learned Special Public Prosecutor for the State and learned counsel for the informant.

2. This is an appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter in short referred to as the SC/ST Act), against the refusal of prayer of anticipatory bail vide order dated 01.07.2025 passed by learned Exclusive Special Judge, SC/ST Act, Nawada in connection with Kadirganj P.S. Case No. 39 of 2025 registered under Sections 191(2), 191(3), 190, 126(2), 127(2), 115(2), 118(1), 109, 74,



303(2) of the B.N.S. and Section 3(1)(r)(s) of the SC/ST Act.

3. As per the allegation made in the F.I.R., the appellants along with other accused persons intercepted the daughter of the informant and also assaulted her and thereafter, when the informant along with his other family members went there, the accused persons including the appellants assaulted the informant causing injuries and also abused him taking his caste name.

4. Learned counsel appearing on behalf of the appellants submitted that the allegation alleged against the appellants is general and omnibus. The F.I.R. don't disclose that the place of occurrence was in public view, therefore, the allegations under SC/ST Act are not attracted. The injuries caused to the informant and others are all simple in nature. In respect of grievous injury sustained by one Saurav Kumar, in absence of any specific allegation against any accused person, petitioners cannot be held responsible for it. The F.I.R. discloses that the occurrence had taken place in the process of idol immersion during Sarawasati Puja.

5. Learned Spl. PP for the State opposed the grant of anticipatory bail on the basis of allegation made in the first information report and also the injuries caused.



6. Heard the parties.

7. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the F.I.R., so far as appellant no.1 Goutam Kumar is concerned, he is aged about 19 years and he has no criminal antecedent, general and omnibus allegation has been alleged against him that he was the member of the mob and he was not indulged in the alleged incidence, in absence of any information against the appellant no.1 that he is the one who had used offensive language in the caste name of the informant, I find, prima facie, that the appellant no.1 has made out a case to be released on pre-arrest bail.

8. The appellant no.1 Goutam Kumar, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST Act, Nawada in connection with Kadirganj P.S. Case No. 39 of 2025, subject to the condition as laid down under Section 438(2) of the Cr.P.C / 482(2) of the BNSS.

9. So far as appellant no.2 Bittu Kumar is



concerned, considering the nature of allegation and number of criminal cases pending against him, I am not inclined to enlarge the appellant no.2 on pre-arrest bail.

10. Accordingly, the present criminal appeal stands disposed of.

(Purnendu Singh, J)

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