

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3901 of 2024

Arising Out of PS. Case No.-511 Year-2024 Thana- SONEPUR District- Saran

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1. Sujeet Kumar Son of Dr. Baleshwar Singh Resident of Ward No.-3, Jhangirpur, P.S. - Sonpur, District - Saran, Bihar
 2. Sonu Kumar @ Shahikant Sharma Son of Ashok Thakur Resident of Ward No.-3, Jhangirpur, P.S. - Sonpur, District - Saran, Bihar
 3. Chandan Kumar Son of Nageshwar Singh Resident of Ward No.-3, Jhangirpur, P.S. - Sonpur, District - Saran, Bihar

... .. Appellant/s

Versus

1. The State of Bihar
2. Bablu Kumar Son of Rajeshwar Paswan Resident of Ward No.-3, Jhangirpur, P.S. - Sonpur, District - Saran, Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Saket Anand, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. Public Prosecutor Ms. Rajani Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 15-01-2026 Heard learned counsel for the appellants, respondent no. 2 and the State.

2. This appeal has been filed against the order dated 02.08.2024 passed by learned Exclusive Special Judge, SC/ST Act, Saran at Chapra in ABP No. 2388 of 2024 arising out of Sonpur P.S. Case No. 511 of 2024 registered under Sections 341, 323, 504, 506, 34 of the Indian Penal Code and Section 3(1)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellants has been rejected.



3. As per F.I.R., these appellants along with other named accused persons assaulted the informant by means of *lathi, danda*, iron rod and abused him and his brother by caste name.

4. Learned counsel for the appellants submits that both parties are co-villagers and due to dispute over pathway, altercation took place in which both sides sustained injuries. Allegation of assault is general and omnibus. Injuries sustained by the injured are simple in nature. It is not the case of informant that alleged incident occurred within public view and as such, no case under SC/ST Act is made out against the appellants. Appellants claim clean antecedent.

5. Learned Spl. Public Prosecutor for the State as well as learned counsel for the respondent no. 2 vehemently opposed the bail application.

6. Considering the nature of accusation and clean antecedent, let the appellants, as named above, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST Act, Saran at Chapra in ABP No. 2388 of 2024 arising out of Sonpur



P.S. Case No. 511 of 2024.

7. Accordingly, this criminal appeal is allowed and impugned order dated 02.08.2024 is set aside with respect to these appellants only.

(Prabhat Kumar Singh, J)

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