

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4048 of 2024

Arising Out of PS. Case No.-103 Year-2024 Thana- PARAIYA District- Gaya

1. Pappu Singh @ Amar Singh Son of Durga singh Resident of Village -Budh Paraiya, PS- Paraiya, District- Gaya
2. Dinanath Singh @ Arun Singh Son of Late Ram Chandra Singh Resident of Village -Budh Paraiya, PS- Paraiya, District- Gaya
3. Ravi Kumar @ Ravi Ranjan Kumar Son of Bhola Singh Resident of Village -Budh Paraiya, PS- Paraiya, District- Gaya
4. Jaiki Kumar Son of Late Arvind Yadav Resident of Village -Budh Paraiya, PS- Paraiya, District- Gaya
5. Amit Kumar @ Ajit Kumar Son of Amar Singh Resident of Village -Budh Paraiya, PS- Paraiya, District- Gaya
6. Ashish Kumar @ Ashish Raj Son of Deepak Ravani Resident of Village -Budh Paraiya, PS- Paraiya, District- Gaya
7. Nirju Kumar @ Niraj Kumar Son of Ganauri Ram Resident of Village -Budh Paraiya, PS- Paraiya, District- Gaya
8. Ram Prasad Singh Son of Shrawan Singh Resident of Village -Budh Paraiya, PS- Paraiya, District- Gaya
9. Sonal Kumar @ Sonal Singh Son of Shibu Singh Resident of Village -Budh Paraiya, PS- Paraiya, District- Gaya
10. Niraj Kumar @ Niraj Singh Son of Satish Yadav Resident of Village -Budh Paraiya, PS- Paraiya, District- Gaya
11. Tinku Kumar @ Bittu Kumar Son of Shambhu Singh Resident of Village -Budh Paraiya, PS- Paraiya, District- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Ranjeet Kumar Bharti Son of Binda Paswan Resident of Village -Budh Paraiya, PS- Paraiya, District- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Niranjan Kumar, Advocate Mr. Subham Singh, Advocate Mr. Bipin Yadav, Advocate Mr. Saket Singh, Advocate
For the Respondent/s	:	Mr.Sadanand Paswan, Spl PP Mr. Manish Kumar No. 2, Advocate Mr. Gajendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER



5 12-01-2026

1. Heard learned counsel for the appellants; learned Spl. P.P. for the State, Sri Sadanand Paswan 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 10-6-2024 in A.B.P. No. 179 of 2024 passed by the learned Exclusive Special Judge S.C./S.T. (POA) Act, Gaya in connection with Paraiya P.S. Case No. 103 of 2024, registered for the offences punishable under Sections 147, 148, 149, 448, 341, 342, 323, 307, 354, 337, 338, 436 and 379 of the Indian Penal Code as well as Sections 3(i)(r)(s)(w)/3(2)(va) of the SC/ST Act.

3. Learned counsel for the appellants submits that appellants have antecedent of one case, but then the said case was also instituted by the side of the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that the informant alleges that on 24-3-2024 at 8:15 pm, all the accused persons including the appellants came variously armed and set the hut on fire and also abused the informant and his family members by taking caste



name and assaulted with lathi, danda, fist and slap, on account of which the informant sustained injury on his right hand and his uncle sustained injury on head.

4. Learned counsel for the appellants submits that the appellants have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that allegation of assault and abuse is general and omnibus in nature. It is further submitted that it does not appear probable that all accused in one go would have abused the informant. It is also submitted that though it is alleged that the hut of the informant was set on fire, but then the said allegation is an exaggerated allegation as no hut was put on fire and during the course of investigation also it has come that burnt *sarkanda* was found from the place of occurrence. It is next submitted that the FIR also does not even remotely suggest that the occurrence was witnessed by any independent witnesses. It is further submitted that even presuming what has been alleged is true without admitting then the entire occurrence took place at the house of the informant and thus was not in public view and even the injury suffered by the injured has been opined to be simple in nature.



5. Learned Spl. P.P. for the State along with learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the appellants, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the appellants that the entire occurrence took place at the house of the informant and thus was not in public view and allegation of abuse is general and omnibus in nature.

6. Considering the aforesaid facts, let the appellants above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court 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 the appeal stands allowed.

(Satyavrat Verma, J)

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