

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4047 of 2024

Arising Out of PS. Case No.-232 Year-2024 Thana- GOVINDPUR District- Nawada

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1. Binod Kumar @ Vinod Sao S/o Hira Saw Resident Of Village- Baniya Bigha, Ps- Govindpur, District- Nawada
 2. Pramod Sao @ Pramod Kumar @ Pramod Kumar Sao S/o Hira Saw R/o vill - Baniya Bigha, P.S. - Govindpur, Distt. - Nawada
 3. Chhotu Sao @ Chhotu Kumar Sao @ Chhotan Kumar Sao S/o Jugal Sao R/o vill - Pandeydih, P.S. - Satgwan, Distt. - Koderma (Jharkhand)

... .. Appellant/s

Versus

1. The State of Bihar
2. Arjun Ravidas S/o Munna Ravidas R/o vill - Baniya Bigha, P.S. - Govindpur, Distt. - Nawada

... .. Respondent/s

Appearance :

For the Appellants	:	Mr. Sheo Kumar Prasad, Advocate
For the State	:	Mr. Binay Krishna, Special P.P.
For the Informant	:	Mr. Ram Prawesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 08-01-2026 Heard learned counsel for the appellants, Mr. Binay Krishna, learned Special P.P. for the State as well as 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 06.08.2024, passed by learned Exclusive Special Judge, SC/ST Act, Nawada in connection with Govindpur P.S.



Case No.232 of 2024, registered under Sections 127(2), 126(2), 115(2), 118(1), 352, 351(2) and 3(5) of B.N.S.,2023 as well as Section 3(1)(r)(s) of SC/ST (POA) Act.

3. Learned counsel appearing on behalf of the appellants, after some arguments, seeks permission to withdraw the appeal with respect to appellant no.1, Binod Kumar @ Vinod Sao.

4. Permission is accorded.

5. The instant appeal is dismissed as withdrawn so far as petitioner no.1 is concerned.

6. Learned counsel appearing on behalf of the appellants submits that appellants no.2 and 3 are persons with clean antecedent and the informant alleges that on 23.07.2024, the accused persons including the appellants called the elder brother of the informant for a party and after the party when his brother was returning back to his house when all the accused persons including the appellants came to the house of the informant and started assaulting his brother and Vinod Sao assaulted Suraj Kumar by *Farsa* causing injury on neck.

7. 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



allegations, as alleged in the FIR, it would manifest that specific allegation of assaulting Suraj Kumar is against Vinod Sao. It is also submitted that the entire occurrence is alleged to have taken place at the house of the informant thus, was not in public view and the rigors of SC/ST Act would not apply and there is no allegation in the FIR that any of the appellants abused.

8. The learned Special P.P. and the learned counsel appearing on behalf of the informant oppose the appeal but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the appellants that specific allegation of assaulting Suraj Kumar by *Farsa* is against Vinod Sao and as far as the appellants are concerned, the allegation against them is general and omnibus in nature.

9. Considering the submissions made by learned counsel for the appellants, let appellants no.2 and 3, above named, in the event of their arrest or surrender before the learned Trial Court within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending in connection with Govindpur P.S. Case No.232 of 2024, subject to



the conditions as laid down under Section 482(2) of the
B.N.S.S.

10. Accordingly, the impugned order is set aside and
the appeal stands allowed.

(Satyavrat Verma, J)

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