

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3346 of 2025

Arising Out of PS. Case No.-7 Year-2025 Thana- SC/ST District- Gopalganj

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1. Manager Gupta S/O Late Saral Gupta Village-Chugri, P.O- Jagdishpur, P.S.- Bajaipur, District- Gopalganj
 2. Gupta @ Sri Narain Gupta @ Sri Gupta S/O Late Saral Gupta Village-Chugri, P.O- Jagdishpur, P.S.- Bajaipur, District- Gopalganj

... .. Appellant/s

Versus

1. The State of Bihar Patna
2. Amerika Gond S/O Sukhdeo Gond Village-Chugri, P.O- Jagdishpur, P.S.- Bajaipur, District- Gopalganj

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Natraj Verma, Adv.
For the Respondent/s : Ms. Usha Kumari 1, Sp.P.P

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 23-02-2026 Heard the parties.

2. The present appeal has been filed for setting aside the order dated 15.07.2025 passed by Additional Session Judge 11th cum Special Judge (SC/ST Act) Gopalganj in connection with Anticipatory Bail Application No. 1085 of 2025 (arising out of SC/ST P.S. Case No. 07 of 2025) registered for the offence punishable under sections 115(2), 126(2), 118(i), 351(2), 352, 3(5) of the BNS and u/s 3(1)(d), 3(1)(dh), 3(2)(va) of the Sc and ST (Prevention of Atrocities) Act whereby the prayer for anticipatory bail of the appellant has been rejected.

3. As per the prosecution story, the informant alleged that while he was in his house, the appellants came and after abuse on the



dispute relating to passage, assaulted him as also the daughter. They were taken to the Health Center which followed the FIR.

4. Learned counsel for the appellants has taken this Court to the injury report to show that the same has been found to be simple in nature and the appellants do not have criminal antecedent. The further submission is that the caste abuse case is also not made out.

5. Learned Spl.P.P. opposes the prayer submitting that the abuse as also assault theory is there.

6. Considering the aforesaid submissions of the parties as also the fact the the injuries have been found to be simple in nature, in that background, this Court is inclined to grant them the anticipatory bail with conditions.

7. The impugned order dated 15.07.2025 passed in Anticipatory Bail Application No. 1085 of 2025 (arising out of SC/ST P.S. Case No. 07 of 2025) by the Additional Session Judge 11th cum Special Judge (SC/ST Act) Gopalganj stands set aside and the appeal is allowed.

8. Let the appellants, named above, in the event of arrest/surrender within a period of eight weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-11th-cum-Special Judge SC/ST Act, Gopalganj in connection with Anticipatory Bail Application No.



1085 of 2025 (arising out of SC/ST P.S. Case No. 07 of 2025) subject to the following conditions:

(i) one of the bailor should be the family members/relatives of the appellants, who shall provide official document (Aadhar Card, PAN Card, Driving License, Voter ID) to show his *bona fide*;

(ii) the appellants shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iii) the appellants shall appear before the concerned police station every month for next six months to mark attendance and at the end of the period, the certificate be submitted to the Court;

(iv) the appellants shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the appellants shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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