

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3449 of 2025

Arising Out of PS. Case No.-77 Year-2025 Thana- BADDI District- Rohtas

Rajesh Bind @ Rajesh Kumar S/o Sudama Bind @ Sudama Vind R/o Village-
Baddi, PS- Baddi, Dist- Rohtas

... .. Appellant/s

Versus

1. The State of Bihar
2. Ram Kripal Paswan S/o Late Ghurphekan Paswan R/o Village- Khudiya,
PS- Baddi, Dist- Rohtas

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Rajani Kant Singh, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl.P.P.
For the Resp No. 2	:	None

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 23-02-2026 Heard learned counsel for the appellant and the State.

2. There is no appearance on behalf of the respondent
no. 2 though after issuance of notice, name of Mr. Satish Kumar
Sinha and Ms. Moni Kumari are on record.

3. This appeal has been filed for setting aside the order
dated 31.07.2025 passed by learned Special Court, SC/ST Rohtas
at Sasaram in connection with Baddi P.S. Case No. 77 of 2025
registered for the offence punishable under sections 126(2),
115(2), 132, 109, 352, 351(2) and 3(5) of the BNS and Sections
3(i)(r)(s) of the SC/ST Act whereby the prayer for anticipatory
bail of the appellant has been rejected.

4. As per the prosecution story, the informant alleged



that on the allegation that during the course of collection of information when he reached near the house of Dinesh Bind, taking caste name, Dinesh Bind gave iron rod blow on the head which actually hit the shoulder. Further, Rajesh Bind (appellant herein) and Raju Bind gave blow on the back of the body. Thereafter, locals arrived and took the injured to the Police station and then to the Hospital. This led to the FIR.

5. Learned counsel for the appellant submits that only to exaggerate the FIR, the appellant has been incorporated, no abuse has been taken before the public view. Though allegation of assault is there, with the help of paragraph-11 of the petition, he submits that the injury has been found to be simple in nature. The further submission is that Dinesh Bind and Raju Bind have been extended relief in Cr. Appeal (SJ) No. 3151 of 2025 on 20.11.2025 by a Coordinate Bench. The last submission is that the investigation is on and no charge-sheet submitted /cognizance taken.

6. Let the order dated 20.11.2025 be kept on record.

7. Learned Spl.P.P. opposes the prayer submitting that allegation of assault amongst other is against this appellant.

8. Considering the aforesaid submissions of the parties as also that there is nothing on record to show that the abuse took place in public view warranting inclusion of the SC/ST Act,



though allegation of assault is there, it has been found to be simple in nature and the other co-accused persons have been extended relief, as recorded above, in that background, this Court is inclined to extend the privilege of anticipatory bail to the appellant.

9. The impugned order dated 31.07.2025 passed by learned Special Court, SC/ST Rohtas at Sasaram in connection with Baddi P.S. Case No. 77 of 2025 stands set aside and the appeal is allowed.

10. 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 Special Court, SC/ST Rohtas at Sasaram in connection with Baddi P.S. Case No. 77 of 2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the appellant who shall provide official document to show his/her bona fide;

(ii) the appellant shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) the appellant 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 his bail bond by the Trial Court itself;

(iv) the appellant shall appear before the concerned police station every month for six months to mark his attendance and after the end of the period, the certificate shall be submitted before the Trial Court failing which steps shall be taken for the cancellation of the bail bonds;

(v) the appellant 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;

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

(Rajiv Roy, J)

Adnan/-

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