

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.45 of 2022

Arising Out of PS. Case No.-89 Year-2021 Thana- AWTARNAGAR District- Saran

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1. Bhola Singh @ Dhananjay Kumar Singh Son Of Late Jagarnath Singh R/O Village- Dharipur, P.S.- Awatarnagar, Dist.- Saran
 2. Ranjay Singh @ Ranjan Kumar Singh Son Of Late Jagarnath Singh R/O Village- Dharipur, P.S.- Awatarnagar, Dist.- Saran
 3. Dharmendra Singh @ Dharmendra Kumar Son Of Late Krishna Singh R/O Village- Dharipur, P.S.- Awatarnagar, Dist.- Saran

... .. Appellant/s

Versus

1. The State Of Bihar
2. Baban Kuma Ram Son Of Munni Ram R/O Village- Haraji, P.S.- Awatar Nagar, Dist.- Saran

... .. Respondent/s

Appearance :

For the Appellant/s	:	Dr. Rajesh Kumar Singh, Advocate
For the Respondent/s	:	Mr. Usha Kumari No. 1, Spl.P.P.
For the Informant	:	Mr. Harish Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 08-04-2026 Heard learned counsel for the appellants, learned counsel for the informant and learned Spl. P.P. for the State.

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 1.11.2021 passed by the learned Court of 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Saran at Chapra in connection with Awatar Nagar P.S. Case No. 89 of 2021 registered for the offences punishable under



Sections 341, 323, 504, 506 and 34 of the IPC and Section 3(1)(2)(va) of the SC and ST Act.

3. Learned counsel for the appellants submits that the appellants are persons with clean antecedent and the informant alleges that on 02.03.2021 at 11:30 AM, the appellants along with five unknown accused intercepted him near Dharipur and abused him by taking caste name and even assaulted.

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 the allegation of abuse and assault is general and omnibus in nature, it is next submitted that it does not appear probable that all accused in one go would have abused the informant by taking caste name, it is also submitted that even allegation of assault is general and omnibus in nature.

5. Learned Spl. P.P. for the State and learned counsel for the informant opposed the prayer for anticipatory bail of the appellants but then are not in a position to rebut the submission of the learned counsel appearing for the appellants that no specific allegation of assault and abuse is against any of the appellants.



6. In view of the submissions made by the learned counsel for the appellants, the order dated 1.11.2021 passed by the learned Court of 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Saran at Chapra in connection with Awatar Nagar P.S. Case No. 89 of 2021 is hereby set aside and the appellants above-named, in the event of their arrest or surrender within a period of six weeks from today, 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 court below where the case is pending/successor court in connection with Awatar Nagar P.S. Case No. 89 of 2021 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. Accordingly the appeal stands allowed.

(Satyavrat Verma, J)

Gaurav Sinha/-

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