

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3756 of 2025

Arising Out of PS. Case No.-104 Year-2025 Thana- NEORA District- Patna

1. Pappu Singh @ Nand Kishore Singh son of Sri Deopujan Singh Resident of Village -Puraniya PS -Neura District- Patna
2. Aklesh Singh @ Akhilesh Kumar son of Sri Hari Shankar Singh Resident of Village -Puraniya PS -Neura District- Patna
3. Bimlesh Singh @ Bimlesh Kumar son of Sri Hari Shankar Singh Resident of Village -Puraniya PS -Neura District- Patna
4. Anil Singh @ Anil Kumar son of Hari Shankar Singh Resident of Village -Puraniya PS -Neura District- Patna
5. Sagun Singh @ Sugan Singh @ Kamlesh Kumar son of Sri Hari Shankar Singh Resident of Village -Puraniya PS -Neura District- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Khusiya Devi wife of Sri Vijay Paswan Resident of Village -Puraniya PS -Neura District- Patna

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ranjeet Choubey, Adv.
For the Respondent/s	:	Mr. Sadanand Paswan, Spl.PP
For the Informant	:	Mr. Jitender Kumar, Adv.
		Mr. Himanshu Shekhar, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 23-02-2026

Heard the parties.

2. The appellants has preferred the present appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (for short 'the Act') against the order dated 20.08.2025 passed by the learned Exclusive Special Judge (SC/ST) Act, Civil Court (Sadar) Patna



/concerned Court, where the case is pending in connection with Neura P.S. Case No. 104 of 2025 registered under Sections 126(2), 115(2), 303(2), 79, 351(2), 352, 351(3) and 3(5) of BNS and Sections 3(i)(r)(s) of SC/ST (POA) Act.

3. Present appeal is well within limitation as prescribed under Section 14A(3) of the Act.

4. As per FIR, on 18.06.2025 around 10 PM without any reason appellant no. 1 started assaulting informant with *lathi* and rod and fled away, whereafter informant returned to his home in the meantime the appellants also came back and after criminal trespass assaulted informant and when her husband came to save her they snatched their *Mangalsutra*. It is also alleged that appellants abused informant in her caste name. The informant claimed to be a member of scheduled caste community.

5. Learned counsel for the appellants submitted that the occurrence took place in the background of previous enmities as the parties are in inimical terms and for prior occurrence a case



was lodged by the appellants side against the husband of the informant which was registered as Neura P.S. Case No. 107 of 2025. It is submitted that in retaliation of that criminal case, the present false case was lodged by informant being wife. It is submitted that no allegation as raised to abuse in caste name appears to be made in public view, and therefore *prima-facie* no case is made out. It is submitted that allegation *qua* physical assault is appearing very much general and omnibus against appellants. In support of his submission learned counsel relied upon the legal report of Hon'ble Supreme Court as available through **Hitesh Verma v. State of Uttarakhand, (2020) 10 SCC 710**. The appellants claimed clean antecedent.

6. Learned Spl.PP duly assisted by learned counsel for the informant while opposing bail submitted that appellants were found actively involved during the occurrence. It is submitted that allegation as to abuse in caste name also appears available through FIR.



7. Let it be so, considering the nature of allegation and previous enmities between the parties coupled with the fact that allegation *qua* abuse in caste name *prima-facie* not appears to be made in public view, accordingly, all above-named five appellants in the event of their arrest or surrender before the learned trial Court, within a period of six weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned learned Exclusive Special Judge (SC/ST) Act, Civil Court (Sadar) Patna /concerned Court, where the case is pending in connection with Neura P.S. Case No. 104 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. Accordingly, impugned order dated 20.08.2025 is hereby set/quashed.

9. Hence, appeal stands allowed.

(Chandra Shekhar Jha, J)

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