

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3932 of 2025

Arising Out of PS. Case No.-43 Year-2025 Thana- MOHANPUR District- Samastipur

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1. Kiran Singh Son of Late Vijay Kumar Singh Resident of Village - Baghra, P.S. - Mohanpur, Dist. - Samastipur.
 2. Niraj Kumar @ Niraj Singh Son of Late Vijay Kumar Singh Resident of Village - Baghra, P.S. - Mohanpur, Dist. - Samastipur.

... .. Appellant/s

Versus

1. The State of Bihar
2. Dharmendra Paswan Son of Gopal Paswan Resident of Village - Baghra, P.S. - Mohanpur, Dist. - Samastipur.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shaishav Kumar
For the Respondent/s : Mr. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 12-03-2026 Heard the parties.

2. This appeal is preferred against the order dated 25.08.2025 passed by the learned Special Judge, SC/ST Act, Samastipur in ABP No. 1820 of 2025 arising out of Mohanpur P.S. Case No. 43 of 2025 registered for the offence under Sections 115(2), 61(2), 62, 93, 96, 105, 109, 126(2), 127(2), 144, 146, 74, 143(4), 3(5) of the BNS, under Section 14 of the Child Labour Act and under Section 3(i)(vi)(x)(R)(s)(w), 3(viii), 3(2)(va) of S.C/S.T. (POA) Act by which anticipatory bail filed by the appellants has been rejected.

3. As per the prosecution case, the appellants are said



to have taken the informant's son with them as house help and have assaulted him and have abused the victim by taking caste name.

4. Learned counsel for the appellants submits that the appellants has falsely been implicated in this case and no offence under the provisions of SC/ST Act is made out in this case as the occurrence has taken place because of some dispute over some amount which may be due to the appellants for the work of the informant's son as house help and therefore the application of the anticipatory bail is maintainable.

5. Learned counsel for the State and the informant has opposed the prayer of the appellant.

6. From the reading of the entire FIR it does not appear that offence has been committed against the informant on the ground that he is a member of the SC/ST Act and the occurrence has taken place because of some dispute and therefore, this application for grant of anticipatory bail is held to be maintainable.

7. Considering the facts of the case and the rival submissions of the parties, this appeal is allowed and accordingly, the order dated 25.08.2025, is hereby set aside.

8. Let the appellants, in the event of their arrest or



surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, SC/ST Act, Samastipur/concerned Court below in in connection with Mohanpur P.S. Case No. 43 of 2025, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the BNSS.

(Sandeep Kumar, J)

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