

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3945 of 2025

Arising Out of PS. Case No.-44 Year-2025 Thana- SC/ST District- Vaishali

Nitesh Kumar S/o Ramdahin Singh R/o Village- Rampur Brahamdas, P.O.-
Khoksa Buzurge, P.S.- Rajapakar, District- Vaishali

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant	:	Mr. Kumar Amit, Advocate
For the State	:	Mr. Sadanand Paswan, Spl.PP
For the Informant	:	Mr. Anirudh Kumar, Advocate
		Mr. Ravish Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 09-07-2026 Heard learned counsel appearing for the appellant,

learned Special Public Prosecutor appearing for the respondent-

State and learned counsel appearing for the

informant/Respondent No. 2.

2. This appeal has been filed for setting aside order dated 21.08.2025 passed in a case registered for the offence punishable under Sections 126(2), 352, 351(2), 308(2), 76 and 3(5) of the B.N.S. and Sections 3(1)(r)(s)(w)(i) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for grant of anticipatory bail of this appellant has been rejected.

3. As per prosecution case, it is alleged that on 08.05.2025, informant received a phone call from Mobile No.



9279696822 and the caller asked for information regarding job and placement and on 11.05.2025, the caller again called the informant, gave proposal to marry him and upon refusal, he abused informant by caste name and demanded *Rangdari* of Rs. 50,000/-. It is further alleged that on 10.05.2025, while the informant was returning from market, in the meantime, two persons riding on a motorcycle came near her, disclosed their names as Nitesh Kumar and Dheeraj Kumar and started abusing her with caste based slurs.

4. It is submitted by learned counsel appearing on behalf of the appellant that appellant is quite innocent and has committed no offence. As a matter of fact, there was friendship between the parties and the informant had taken Rs. 25,000/- from the appellant and when he demanded his money back, this false and concocted case has been lodged. Appellant is not owner of the mobile number from which the informant received phone call. It is further submitted that it is not the case of the prosecution that any member of public was present at the place of occurrence and as such, no case under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is made out against this appellant. Appellant claims clean antecedents.

5. Learned Spl. P.P. appearing for the respondent-State



and learned counsel appearing for the informant/Respondent No. 2 have vehemently opposed the prayer for grant of bail to the appellant.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation and clean antecedents of the appellant, this appeal is allowed and the impugned order dated 21.08.2025 passed by the learned Exclusive Special Court, SC/ST (POA) Act, Vaishali at Hajipur in connection with A.B.P. No. 2074 of 2025 arising out of Hajipur S.C./S.T. P.S. Case No. 44 of 2025 is hereby set aside with respect to this appellant only.

7. Accordingly, let the appellant, 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) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court, SC/ST (POA) Act, Vaishali at Hajipur in connection with Hajipur S.C./S.T. P.S. Case No. 44 of 2025.

(Prabhat Kumar Singh, J)

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