

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4740 of 2024

Arising Out of PS. Case No.-139 Year-2024 Thana- NAYAGAON District- Saran

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1. Suman Kumar Pandey @ Suman Pandey Son of Late Narsingh Dutt Pandey
Resident of Village - Nayagaon, P.S.- Nayagaon, District - Saran
 2. Manan Kumar Pandey @ Manan Pandey Son of Late Narsingh Dutt Pandey
Resident of Village - Nayagaon, P.S.- Nayagaon, District - Saran

... .. Appellant/s

Versus

1. The State of Bihar
2. Tarkeshwar Ram Son of Late Halli Ram Resident of Village - Nayagaon,
P.S.- Nayagaon, District - Saran

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sunil Kumar Singh, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 02-04-2026 Despite valid service of notice, none appears on
behalf of the respondent no. 2.

2. Heard learned counsel for the appellants and the
State.

3. This appeal has been filed against the order dated
12.09.2024 passed by learned SC/ST Exclusive Special Court,
Saran at Chapra in ABP No. 3003 of 2024 arising out of
Nayagaon P.S. Case No. 139 of 2024 registered under Sections
126(2), 127(2), 115(2), 117(2), 106, 3(5) of the Bharatiya Nyaya
Sanhita and Section 3(1)(r)(s) of Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act, whereby the



prayer for anticipatory bail of appellants has been rejected.

4. It is alleged that all the F.I.R. named accused persons, including these appellants and two unknown miscreants, caught the informant, forcibly made him sit in their Scorpio vehicle and brutally assaulted him as a result of which he sustained injury.

5. Learned counsel for the appellants submits that allegation of assault is general and omnibus and there is no allegation of any specific overt act against the appellants. Injury sustained by the injured are simple in nature. Appellants are not alleged to have abused informant by caste name and as such, no case under SC/ST Act is made out against them.

6. Learned Spl. Public Prosecutor for the State vehemently opposed the bail application.

7. Considering the nature of accusation and injury, let the appellants, as named above, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned SC/ST Exclusive Special Court, Saran at Chapra in ABP No. 3003 of 2024 arising out of Nayagaon P.S. Case No. 139 of 2024.



8. Accordingly, this criminal appeal is allowed and
impugned order dated 12.09.2024 is set aside with respect to
these appellants only.

(Prabhat Kumar Singh, J)

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