

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4112 of 2025**

Arising Out of PS. Case No.-160 Year-2025 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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Shubham Kumar @ Shubham Kumar Singh S/O Dhiraj Kumar Singh @
Dhiraj Singh Resident of Village- Bharouli, Post- Bharouli, P.S- Sonbarsa
Kachahari, District- Saharsa.

... .. Appellant/s

Versus

1. The State of Bihar
2. Sandeep Kumar @ Sandeep Paswan S/O Akhilesh Paswan R/O Village-
Sitanabad, Ward No. 01, Under Gram Panchayat Sitanabad Utari, P.S-
Bakhtiyarpur, Distt.- Saharsa.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Amit Kumar Singh
For the Respondent/s : Mr.Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 05-05-2026 Heard learned counsel for the appellant, learned Spl.
P.P., Mr. Binay Krishna, appearing for the State.

2. This appeal is an Appeal under Section 14(A)(2)
of the Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 against the rejection of prayer for bail vide
order dated 28.08.2025, passed by learned Additional District
and Sessions Judge-I-cum-Special Judge (SC/ST), Saharsa, in
connection with Bakhtiyarpur (B.K.P.) P.S. Case No. 160 of
2025, registered for the offence punishable under Sections
126(2), 115(2), 109, 74, 352, 351(2), 3(5) of BNS and Sections
3(1)(s) of SC/ST (POA) 1989.



3. The learned counsel appearing on behalf of the appellant submits that appellant is person with clean antecedent and the informant alleges that named accused persons including the appellants came on 15.05.2025 in between 8.30 A.M. 9 A.M. to his house and Dhiraj abused by taking caste name and demanded Rs. 50,000/- on the pretext that informant earns a lot, on which informant objected, when Dhiraj said to pay Rs.25,000/- which accrued on account of interest, on which the informant said that he had already paid Rs.10,000/- and is not in a position to pay interest, on which all the accused abused and dashed him and acted inappropriately with his wife.

4. The learned counsel appearing on behalf of the appellants submits that the appellant has been falsely implicated in the instant case by the informant, it is next submitted from Dhiraj Kumar Singh@ Dhiraj Singh along with one another had approached this Court seeking anticipatory bail by filing Cr. Appeal (SJ) No. 4090 of 2025 and the same came to be allowed by an order dated 05.05.2026 after considering the case on merit, it is next submitted that case of the petitioner is on a better footing as no specific allegation of assault and abuse is alleged against the appellant, it is further submitted submitted that allegation of acting inappropriately with the wife of the



informant is ornamental.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail.

6. Considering the submission, this appeal is allowed and the impugned order is set aside. Let the appellant, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.5,000/- (Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-I-cum-Special Judge (SC/ST), Sharsa, in connection with Bakhtiyarpur (B.K.P.) P.S. Case No. 160 of 2025.

(Satyavrat Verma, J)

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