

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4309 of 2025**

Arising Out of PS. Case No.-88 Year-2025 Thana- SIKARHATTA District- Bhojpur

Basant Singh @ Sadhu Singh S/O Jamindar Singh Resident of Village-
Pathkhauli, P.S- Sikarhatta, Distt.- Bhojpur.

... .. Appellant/s

Versus

1. The State of Bihar
2. Ravinandan Prasad S/O Mahendra Ram R/O Village- Pathkhauli, P.S-
Sikarhatta, Distt.- Bhojpur.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ravindra Kumar, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, SPP
For the Resp. No. 2	:	Mr. Parmatma Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 18-04-2026 Heard Mr. Ravindra Kumar, learned counsel for the

appellant, Mr. Parmatma Singh, learned counsel appearing on
behalf of the Respondent No. 2 as well as Mr. Sadanand
Paswan, learned Spl.P.P. for the State.

2. This is an appeal under Sections 14(A)(2) against
refusal of the prayer for regular bail by order dated 04.08.2025
passed by the learned Court of 1st Additional Sessions Judge-
cum-Special Judge, SC/ST Act, Bhojpur at Ara in connection
with SC/ST Case No. 129 of 2025 arising out of Sikarhatta P.S.
Case No. 88 of 2025, F.I.R. dated 15.05.2025 registered under
Sections 191(2), 191(3), 190, 126(3), 127(2), 115(2), 103(1) of
the BNS, 2023 and Sections 3(1)(r)/(s), 3(2)(v) of the Scheduled



Castes and Scheduled Tribes Act (Prevention of Atrocities) Act.

3. According to the prosecution case, all the accused persons including this appellant have intercepted the brother of the informant and brutally assaulted him resulting into his death.

4. Learned counsel for the appellant submits that appellant is innocent and he has falsely been implicated in the present case. He further submits that although the appellant is named in the FIR but from perusal of the FIR it appears that the informant is not the eye witness of the alleged occurrence and he has filed the present case merely on the basis of suspicion and information furnished by the brother of the informant (deceased). He further submits that it appears from the aforesaid, there is no specific allegation against the appellant rather there is general and omnibus allegation against all the accused persons including this appellant. He further submits that the police, after investigation, submitted charge sheet against the appellant. The appellant is in custody since 16.05.2025.

5. Learned counsel appearing on behalf of the Respondent No. 2 as well as learned Special Public Prosecutor for the State have vehemently opposed the prayer for bail of the appellant and submits that the appellant along with other accused persons have committed the present crime in question



and apart from that the appellant carries one criminal antecedent other than the present one but fairly submits that he is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances of the case that there is no specific allegation against the appellant rather there is general and omnibus allegation against him, let the appellant, above named, be released 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 Court of 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, Bhojpur at Ara in connection with SC/ST Case No. 129 of 2025 arising out of Sikarhatta P.S. Case No. 88 of 2025, with other following conditions:-

i. Appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the appellant tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall



verify the criminal antecedent of the appellant and in case at any stage it is found that the appellant have concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the appellant. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the impugned order is set aside and this appeal stands allowed.

(Rajesh Kumar Verma, J)

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