

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4307 of 2025

Arising Out of PS. Case No.-45 Year-2025 Thana- SC/ST District- Vaishali

Raushan Kumar Son of Shrinath Singh @ Shivnath Singh Resident of Village
- Manpur, P.S.- Lalganj, District - Vaishali.

... .. Appellant/s

Versus

1. The State of Bihar
2. Nand Kishore Manjhi Son of Shivjee Manjhi Resident of village -
Madhurapur Kushde, P.S.- Lalganj, District - Vaishali.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shyameshwar Kumar Singh
For the Respondent/s : Mr. Sadanand Paswan, Spl. PP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 21-01-2026 1. Heard learned counsel for the appellant and learned
Spl. P.P. for the State, Sri Sadanand Paswan.

2. This is an appeal under Section 14-A(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST
Act”) against the refusal of prayer for anticipatory bail vide
order dated 11-8-2025 in A.B.P. No. 2181 of 2025 passed by the
learned Exclusive Special Judge S.C./S.T.-cum-District
& Additional Sessions Judge, Vaishali at Hajipur, in connection
with Hajipur SC/ST P.S. Case No. 45 of 2025, registered for the
offences punishable under Sections 126(2), 118(1), 109, 303(2),
352, 351(2), and 3(5) of the BNS as well as Sections 3(1)(r)(s),



3(2)(va) of the SC/ST Act.

3. Learned Spl. PP, at the outset, submits that the case was taken up on 11-11-2025 and he was directed to intimate the respondent no. 2 of this case through the Superintendent of Police, Vaishali at Hajipur. It is next submitted that in compliance of the order dated 11-11-2025, the Superintendent of Police was informed that respondent no. 2 is required in the instant appeal. It is submitted that despite information, it appears that no one has appeared on behalf of the respondent no. 2.

4. Learned counsel for the appellant submits that the appellant is a person with clean antecedent and the informant alleges that on 3-6-2025 at 11:30 pm, he was returning from a marriage, when he was intercepted by Vishal, Sunny, Raushan, Sumit and five unknown accused, who assaulted and snatched his mobile, on protest all the accused abused him by taking caste name, further on account of assault he received injury on his nose, next alleges that when villagers gathered, the accused fled leaving a motorcycle, further he was taken to hospital from where he was referred to Sadar Hospital Hajipur, but Lalganj Police Station did not take action and even released the motorcycle.



5. Learned counsel for the appellant submits that the appellant has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that allegation of assault and abuse is general and omnibus in nature. It is further submitted that no doubt it is alleged that the accused while fleeing left a motorcycle at the place of occurrence, but then no motorcycle was seized. It is also submitted that the date of occurrence is 3-6-2025 and the FIR came to be instituted on 14-6-2025, i.e., after a delay of more than 11 days which casts aspersion on the case of the prosecution.

6. Learned Spl. P.P. for the State opposes the prayer for anticipatory bail of the appellant.

7. Considering the aforesaid facts, let the appellant above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with the aforesaid case, subject to the conditions as laid down under Section 482 (2) of the BNSS.



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

(Satyavrat Verma, J)

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