

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4402 of 2025

Arising Out of PS. Case No.-245 Year-2025 Thana- MADANPUR District- Aurangabad

Sujit Kumar @ Guddu Kumar @ Sujeet Kumar S/o Arjun Yadav Resident of-
Siraundha, Post- Umga, P.S.- Madanpur, District- Aurangabad

... .. Appellant/s

Versus

1. The State of Bihar
2. Sikanti Devi Wife of Gopal Kumar Resident of- Babubandh, P.S.-
Madanpur, District- Aurangabad

... .. Respondent/s

Appearance :

For the Appellant	:	Mr. Kumar Gaurav, Advocate
For the State	:	Mr. Binay Krishna, Spl.P.P.
For the Respondent no. 2:	:	NONE

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 16-07-2026 Heard learned counsel for the appellant and learned

Special P.P. for of the State. Despite valid service of notice,

nobody appears on behalf of respondent no. 2.

2. This appeal has been filed against an order,

passed by learned A.D.J. 1st cum Special Judge (SC/ST, NDPS
& Children Act), Aurangabad in a case registered under Sections
191(2), 126(2), 115(2), 352, 351(2), 303(2) of the B.N.S., 2023
and Section 3(i)(r) & 3(i)(s) of the SC/ST Act, whereby the
prayer for anticipatory bail of appellant has been rejected.

3. As per prosecution case, on the alleged date and

time of occurrence, 12 named accused persons including this
appellant came, abused by caste name and also assaulted



informant and her husband and nearby people assembled there, the accused persons fled away from there. Before fleeing, this appellant is also alleged to have snatched gold *Mangalsutra* from the neck of informant.

4. Learned counsel for the appellant submits that appellant has been falsely implicated in this case. Allegation of assault is general and omnibus and there is no specific allegation of overt act against this appellant. Rest of the allegation is ornamental only in order to make the case grave. He further submits that it is not the case of the informant that at the time of alleged occurrence, any public was present and as such, no case under the SC/ST Act is made out. Appellant claims clean antecedent.

5. Learned Spl. Public Prosecutor for the State opposes the appeal.

6. However, considering the aforesaid facts and circumstances, the impugned order is, hereby, set aside and this appeal is allowed.

7. Let the appellant, as named above, in the event of arrest or surrender within a period of eight weeks from today, 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 A.D.J. 1st cum Special Judge (SC/ST,
NDPS & Children Act), Aurangabad (Bihar) in connection with
Madanpur P.S. Case No. 245 of 2025.

(Prabhat Kumar Singh, J)

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