

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4440 of 2025

Arising Out of PS. Case No.-160 Year-2025 Thana- TISIAUTA District- Vaishali

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1. Abhijeet Kumar Singh, Son of Satish Kumar Singh, Resident of Mahthi Dharamchand, P.S.- Tisiauta, District - Vaishali.
 2. Dilip Singh, Son of Abadh Kishore Singh, Resident of Mahthi Dharamchand, P.S.- Tisiauta, District - Vaishali.

... .. Appellant/s

Versus

1. The State of Bihar
2. Chandani Kumari Sawaria @ Chandani Kumari, S.H.O. Tisiauta Police Station, District - Vaishali. Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shivanand Singh, Advocate
For the Respondent/s : Mrs. Usha Kumari 1, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 31-01-2026 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellants against the order dated 14.10.2025 passed by learned Court of Exclusive Special Judge, SC/ST Act-cum-District and Additional Sessions Judge, Vaishali at Hajipur whereby the prayer for bail of the appellants in connection with Tisiauta P.S. Case No. 160 of 2025 under Sections 126(2), 115(2), 109, 121(1), 121(2), 132, 352, 351(2) and 3(5) of B.N.S. and Sections 3(1)(r)(s) of SC/ST Act was rejected.



3. The case of the prosecution, in short, is that there was road rage between the appellants and police. It is alleged that appellants were not giving them pass. When the vehicle of the appellants was stopped, it was found the appellant no.2 was heavily intoxicated. He was directed to accompany his vehicle to the police station for medical examination and further action, then he started running away with his vehicle at high speed and tried to crush the informant and his team, who were chased and caught by the team and were asked to get out of their vehicle, but Dilip Singh, appellant no.2 who was on driver's seat of the vehicle, even after a lot of efforts when he did not come out thereafter, both the constables Satyam Kumar and Babudhan Paswan went inside the vehicle and tried to take him out, but he drove the vehicle very fast and took both constables with him towards his village taking advantage of the darkness of the night. It is further alleged that he has attempted to snatch the arms and has assaulted the police personnel who has gone to apprehend him.

4. It is submitted by learned counsel for the appellants that appellants are innocent and they have been falsely implicated in this case. The story of the prosecution is just a cock and bull story. No occurrence took place and entire case is



creation of respondent at the instance of appellant's enemies and political opponents. It has further been submitted that from perusal of injury report it will transpire that only simple injury. Pain and swelling was received by one of the constables who happens to be from SC/ST community. It has also been that if the allegations are taken to be true then also it cannot be said that the constable was assaulted only on the ground that he was belonging to the SC/ST community. They are languishing in judicial custody since 03.10.2025.

5. The appeal for bail is vehemently opposed by learned Spl. P.P. for the State and has submitted that appellant no. 1 is having criminal antecedent of one case and appellant no.2 is having criminal antecedent of three cases.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 14.10.2025 passed in connection with Tisiauta P.S. Case No. 160 of 2025 is hereby set aside.

7. The appellants are directed to be enlarged on bail in connection with Tisiauta P.S. Case No. 160 of 2025 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction



of the learned Court of learned Court of Exclusive Special
Judge, SC/ST Act-cum-District and Additional Sessions Judge,
Vaishali at Hajipur.

(Ashok Kumar Pandey, J)

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