

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4435 of 2025

Arising Out of PS. Case No.-5 Year-2025 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Sanjeev Sah @ Pocha @ Sanjeev Kumar S/O Dashrath Sah R/o Vill.- Mainka,
P.s.- Lakho, Dist.- Begusarai

... .. Appellant/s

Versus

1. The State of Bihar
2. Umesh Singh S/O Late Ramsagar Singh R/o Vill.- Bikrampur, P.s.- Cheriya
Bariyarpur, Dist.- Begusarai

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Pushpendra Kumar Singh, Adv.

For the Respondent/s : Mrs.Usha Kumari 1, Spl.P.P.

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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 the State.

2. This appeal has been filed against an order, passed
by learned Exclusive Special Judge, SC/ST Act, Begusarai in
connection with a case, registered under Sections 103, 61(2),
190, 191(3) of the B.N.S., 2023, Section 27 of the Arms Act and
Sections 3(1)(r)(s), 3(2)(va), 3(2)(v) of the Scheduled Castes
and Scheduled Tribes (Prevention of Atrocities) Act (for short
“SC/ST Act”), whereby the prayer for anticipatory bail of
appellants has been rejected.

3. As per prosecution case, all the F.I.R. named accused
persons along with 7-8 unknown person, armed with deadly



weapon, brutally assaulted the labourers, working in the brick kiln of the informant, and also killed Lakshman Uraon, who came to rescue the labourers.

4. Learned counsel for the appellant submits that appellant is not named in the F.I.R. and his name transpired during course of investigation in the confessional statement of co-accused Golu Kumar and Shyam Bhawe Singh. He further submits that it is the specific case of the informant that F.I.R. named accused persons carried out the occurrence and there is no whisper about this appellant. There is no allegation against this appellant that he abused by caste name and as such, no case under the SC/ST Act is made out against this appellant. Similarly situated co-accused Sunil Sharma, vide order dated 04.07.2025 passed in Cr.Appeal (SJ) No. 2259 of 2025, has already been granted anticipatory bail by a coordinate Bench of this Court.

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

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

7. Let the appellants, 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) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST Act, Begusarai in connection with Nawkothi P.S. Case No. 05 of 2025.

(Prabhat Kumar Singh, J)

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