

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4460 of 2025**

Arising Out of PS. Case No.-131 Year-2019 Thana- FATEHPUR District- Gaya

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1. Ravindra Singh S/O Late Bhagwat Singh R/O Village- Kathiaundh (Lodhwe), P.S- Fatehpur, Distt.- Gaya Ji.
 2. Amulya Singh @ Amul Kumar Singh S/O Ravindra Singh R/O Village- Kathiaundh (Lodhwe), P.S- Fatehpur, Distt.- Gaya Ji.

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Pragas Das S/O Late Baleshwar Das R/O Village- Kathautiya, P.S- Gurpa, Distt.- Gaya.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Vijay Kumar
For the Respondent/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 23-02-2026 Heard the learned counsel for the appellant as well as the learned APP for the State.

2. This Memo of Appeal has been preferred against the order dated 09.10.2025 passed by the learned Exclusive Special Judge, SC/ST, Gaya Ji in A.B.P. No. 266 of 2025, arising out of Fatehpur (Gurpa O.P.) P.S. Case No. 131 of 2019, registered under Sections 147, 149, 341, 323, 324, 379, 354 and 427 of the Indian Penal Code and under Section 3(1)(r) & (w) of the SC/ST Act.

3. According to FIR, the informant paid Rs.10,500/- to appellant no. 1 for execution of sale deed of a land, 28 years



prior to the occurrence but appellant no. 1 did not execute the sale deed. It has been alleged that the accused persons, in drunken condition, started assaulting the informant and also destroyed the documents.

4. Learned counsel for the appellant has submitted that the appellants are innocent and have falsely been implicated. As a matter of fact, the informant unlawfully occupied land of the appellants, and when they removed the encroachment, the informant falsely implicated the appellants.

5. On the other hand, the learned counsel for the informant has opposed the prayer for bail by submitting that the appellants not only dispossessed the informant from his land but also assaulted and abused him by calling his caste name.

6. The informant alleges that 28 years ago, he paid Rs. 10,500/- to appellant no. 1 but no chit of paper in this regard has been given, according to submission of the learned counsel for the petitioner. The present occurrence appears to have arisen due to land dispute and not due to malicious feelings of caste.

7. Considering the above-mentioned facts and circumstances, the appeal is allowed and the impugned order dated 09.10.2025 passed by the learned Exclusive Special Judge, SC/ST, Gaya Ji in A.B.P. No. 266 of 2025, arising out of



Fatehpur (Gurpa O.P.) P.S. Case No. 131 of 2019 is set aside.

8. Accordingly, let the petitioners, above-named, in the event of their arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, SC/ST, Gaya Ji in A.B.P. No. 266 of 2025, arising out of Fatehpur (Gurpa O.P.) P.S. Case No. 131 of 2019.

(Nawneet Kumar Pandey, J)

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