

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4622 of 2025

Arising Out of PS. Case No.-32 Year-2025 Thana- SC/ST District- Bhagalpur

Shiv Nandan Singh @ Nunu S/O Gobind Singh Resident Of Village- Bhallu
Sujan, P.S- Kahalgaon, Distt.- Bhagalpur.

... .. Appellant/s

Versus

1. The State of Bihar
2. Siyaram Harizan S/O Late Birbal Harizan R/O Village- Bhallu Sujan, P.S-
Kahalgaon, Distt.- Bhagalpur.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Saurabh Raj, Advocate Mr. Ravi Prakash Dwivedi, Advocate
For the State	:	Mr. Sadanand Paswan, SPP
For Respondent no.2	:	Dr. Manoj Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 23-02-2026 Heard learned counsel for the parties.

2. The instant appeal has been preferred against the order dated 16.10.2025 passed in Anticipatory Bail Petition no.2370 of 2025 by the learned District & Additional Sessions Judge-III-cum-Special Judge (SC & ST Act), Bhagalpur and for grant of anticipatory bail in connection with Bhagalpur SC/ST P.S Case no.32 of 2025 registered under sections 126(2), 115(2), 118(1), 117(2), 303(2), 329(3), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and section 3(1)(r)(s) of the SC and ST (Prevention of Atrocities) Act, 1989.

3. As per the prosecution case, the informant states



that the seven named accused persons came at his house, abused him in the name of his caste and Mithilesh Singh assaulted him with an iron rod causing serious injuries.

4. Learned counsel for the appellant submits that the appellant has been falsely implicated in the case. Besides the allegations being general and omnibus in nature, the occurrence is said to have taken place at the house of the informant and not in public view. The allegation of assault is not on the appellant but on Mithilesh Singh. The appellant undertakes to cooperate in the investigation/trial.

5. The appeal is opposed by learned Special Public Prosecutor for the State and learned counsel for the respondent no.2.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the submissions made on behalf of the appellant and the allegation of assault being mainly on the co-accused and not the appellant, the Court is inclined to allow the instant appeal.

7. The appeal is allowed and the order dated 16.10.2025 passed in Anticipatory Bail Petition no.2370 of 2025 by the learned District & Additional Sessions Judge-III-cum-Special Judge, SC/ST (POA) Act, Bhagalpur is set aside.



8. It is directed that the appellant above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Bhagalpur SC/ST P.S Case no.32 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge-III-cum-Special Judge, SC/ST (POA) Act, Bhagalpur.

(Partha Sarthy, J)

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