

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.4712 of 2025**

Arising Out of PS. Case No.-272 Year-2025 Thana- MUFFASIL District- West Champaran

Md. Shahil @ Md. Sahid Gaddi S/o Sri Jokhu Gaddi Resident of village -  
Singhachhapar ward no. 33, P.S - Bettiah Muffasil, District - West Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Amardeep Kumar S/o Late Rudal Baitha R/o Village - Singhachhapar, Ward  
No. 33, P.S - Bettiah Muffasil, District - West Champaran

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr. Hemant Ray, Advocate

For the Respondent/s : Mrs. Usha Kumari I, Spl. PP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

3      16-04-2026                      Heard learned counsel for the appellant and learned  
Special Public Prosecutor for the State.

2. The present Cr. Appeal (SJ) application has been filed seeking grant of bail and setting aside the order dated 16.10.2025 passed by the District & Additional Sessions Judge-I-cum-Special Judge, SC/ST, Bettiah, West Champaran in Anticipatory Bail Petition No. 2305 of 2025 arising out of Bettiah Muffasil P.S. Case No. 272 of 2025, for the offence punishable under sections 126(2), 127(2), 115(2), 118(1), 109(1), 303(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023 and sections 3(i)(r)(s) of the Scheduled Castes & the Scheduled Tribes (Prevention Of Atrocities) Act, 1989.



3. As per the prosecution, FIR has been lodged against six named accused persons including the present appellant. The allegation in the FIR is that the accused person Bagad Gaddi has assaulted the informant by *gadasa* on his head, due to which, injury has been caused. When the informant's brother came to rescue him, then the accused person Mumshahid Gaddi assaulted him by *dabiya* and also abused him. The allegation against the present appellant is that he along with another accused person have snatched Rs.30,000/- from the pocket of the informant's brother.

4. Learned counsel for the appellant submits that the appellant is innocent and has committed no offence. Counsel submits that the appellant has clean antecedent. He submits that the entire family members have been made accused in this case and against the present appellant, there is no specific allegation either of assault or of abuse. The only allegation against the appellant is that he along with another accused person have snatched Rs.30,000/- from the pocket of the informant's brother. Counsel further submits that the informant's side and the appellant's side are co-villagers and from the content of the FIR, it become crystal clear that dispute taken place between the children of the families which resulted into filing of the FIR, but



due to intervention of the co-villagers, matter has been amicably settled and both parties prepared compromise petition and filed before the court. Counsel submits that so far as the allegation under section 3(i)(r)(s) of the SC/ST Act is concerned, there is no ingredient of commission of offence against the present appellant and the rest sections are bailable.

5. Learned Special Public Prosecutor for the State opposes the prayer for bail of the appellant but fairly submits that the compromise took place between the parties which is Annexure-2. He submits that against the present appellant, allegation of assault or abuse is nowhere and there is general and omnibus allegation. The only allegation against the appellant is that he has snatched Rs.30,000/- from the pocket of the informant's brother.

6. In the present facts and circumstances of this case, considering that ingredients of SC/ST Act is not made out against the appellant, therefore, let the above named appellant be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of four weeks, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of 1<sup>st</sup> Additional Sessions Judge-cum-



Special Judge, SC/ST Act, West Champaran at Bettiah, in connection with Bettiah Muffasil P.S. Case No. 272 of 2025, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

7. Accordingly, the order dated 16.10.2025 passed by the District & Additional Sessions Judge-I-cum-Special Judge, SC/ST, Bettiah, West Champaran in Anticipatory Bail Petition No. 2305 of 2025 arising out of Bettiah Muffasil P.S. Case No. 272 of 2025 is hereby set aside and the present anticipatory bail application stands allowed.

**(Dr. Anshuman, J)**

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