

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4918 of 2025

Arising Out of PS. Case No.-169 Year-2025 Thana- Mufassil District- Purnia

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1. Mina Devi Wife of Sri Harendra Uraon Resident of Village- Tetgama ward no 10 P.S -Muffasil, Dist- Purnea
 2. Bittu Uraon @ Bittu @ Bittu Kumar son of Sri Harendra Uraon Resident of Village- Tetgama ward no 10 P.S -Muffasil, Dist- Purnea

... .. Appellant/s

Versus

1. The State of Bihar
2. Sonu Uraon son of Late Sanny Uraon Resident of Village- Tetgama ward no 10 P.S -Muffasil, Dist- Purnea

... .. Respondent/s

Appearance :

For the Appellants	:	Mr. N. K. Agrawal, Sr. Advocate Mr. Amit Kumar Anand, Advocate Mr. Kumar Rajdeep, Advocate
For the State	:	Mr. Sadanand Paswan, APP
For the Informant	:	N o n e

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 30-04-2026 Heard learned senior counsel appearing for the appellants and learned Special Public Prosecutor appearing for the respondent-State.

2. Despite filing *Vakalatnama*, no body appears on behalf of the informant/Respondent No. 2.

3. This appeal has been filed for setting aside order dated 15.11.2025 passed in a case registered for the offence punishable under Sections 190, 191(2), 191(3), 118(1), 118(2), 126(2), 103(2), 238 and 61(2) of the B.N.S., Sections 3 and 4 of



the Prevention of Witch Craft Act and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for grant of bail of these appellants has been rejected.

4. As per prosecution case, 23 named and 150 to 200 unknown accused persons, armed with *lathi*, *danda*, iron rod, arms and ammunition, gathered and tied informant's mother, father, brother, sister-in-law and grand-mother with rope and abused them and assaulted them. Thereafter, accused persons dragged them beside the pond and fuel was sprinkled upon them and then set ablaze in the night causing their death.

5. It is submitted by learned senior counsel appearing on behalf of the appellants that appellants are quite innocent and have committed no offence. Allegation of assault is general and omnibus and no specific accusation of overt act has been alleged against these appellants. From bare perusal of the F.I.R. it is apparent that there is absolutely no allegation of abuse by caste name and as such, no case under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is made out against these appellants. It is further submitted that similarly situated co-accused persons have already been granted bail by



this Hon'ble Court vide orders dated 16.04.2026 passed in *Cr. Appeal (SJ) Nos. 4813 of 2025 and 4832 of 2025*. Appellant have got no criminal antecedents and Appellant No. 1 is in custody since 03.09.2025 and Appellant No. 2 is in custody since 19.07.2025. Moreover, charge-sheet has already been submitted.

6. Learned Spl. P.P. appearing for the respondent-State has opposed the prayer for grant of bail to the appellants.

7. Considering the facts and circumstances of the case, general and omnibus nature of accusation, claim based on parity, period of custody and clean antecedents of the appellants, this appeal is allowed and the impugned order dated 15.11.2025 passed by the learned District and Additional Sessions Judge-I-cum-Special Judge, Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, Purnea in connection with Mufassil P.S. Case No. 169 of 2025 is hereby set aside with respect to these appellants only.

8. Accordingly, let the appellants, named above, be released 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 District and Additional Sessions Judge-I-cum-Special Judge, Scheduled Castes and Scheduled Tribes



(Prevention of Atrocities) Act, Purnea in connection with
Mufassil P.S. Case No. 169 of 2025.

(Prabhat Kumar Singh, J)

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