

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4968 of 2025

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

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Binod Kumar Singh @ Bablu Singh @ Vinod Kumar Singh S/O Late
Ramchandra Singh R/O Vill.- Panhas, P.S.- Lohiyanagar (Town), 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	:	Mr. Krishna Prasad Singh, Sr. Advocate Mr. Pushpendra Kumar Singh, Advocate
For the State	:	Ms. Usha Kumari 1, Spl.PP
For the Informant	:	Mr. Amalendu Shekhar Thakur, Advocate Mr. Shubhesh Pandey, Advocate Mr. Amit Kumar Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-03-2026 Heard learned senior counsel appearing for the

appellant, learned Special Public Prosecutor appearing for the

respondent-State and learned counsel appearing for the

informant/Respondent No. 2.

2. This appeal has been filed for setting aside order
dated 12.11.2025 passed in a case registered for the offence
punishable under Sections 103, 61(2), 190 and 191(3) of the
B.N.S., Section 27 of the Arms Act and Sections 3(1)(r)(s), 3(2)
(va) and 3(2)(v) of the Scheduled Castes and Scheduled Tribes



(Prevention of Atrocities) Act, whereby the prayer for grant of bail to the appellant has been rejected.

3. Earlier, the prayer for grant of bail to the appellant was rejected by a Co-ordinate Bench of this Hon'ble Court vide order dated 18.09.2025 passed in Cr. Appeal (SJ) No. 1663 of 2025.

4. It is submitted by learned senior counsel appearing on behalf of the appellant that appellant is quite innocent and has committed no offence. During trial, three witnesses were examined by the prosecution and two of them did not identify this appellant. P.W. 3 stated that he saw three persons, including this appellant, fleeing from the place of occurrence and as such, he has not claimed to have seen this appellant committing the alleged offence. At best, this appellant was only seen fleeing from the place of occurrence. Moreover, there is absolutely no allegation of abuse by caste name against this appellant and as such, no case under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is made out against this appellant. Appellant is in custody since 16.03.2025.

5. Learned Spl. P.P. appearing for the respondent-State and learned counsel for the informant/Respondent No. 2 have



vehemently opposed the prayer for grant of bail to the appellant.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, materials that have surfaced during investigation and period of custody, this appeal is allowed and the impugned order dated 12.11.2025 passed by the learned Exclusive Special Judge, S.C./S.T. (POA) Act, Begusarai in connection with Nawkothe P.S. Case No. 05 of 2025 is hereby set aside with respect to this appellant only.

7. Accordingly, let the appellant, named above, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, S.C./S.T. (POA) Act, Begusarai in connection with Nawkothe P.S. Case No. 05 2025.

(Prabhat Kumar Singh, J)

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