

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.282 of 2025

Arising Out of PS. Case No.-135 Year-2024 Thana- PATKHAULI District- West Champaran

1. Ramawati Devi Wife of Jhulu Chaudhary @ Jhulur Sahni @ Jhular sani Resident of Ward No. 06, Anand Nagar Ausani, P.S. - Patkhauli, District - West Champaran, Pin Code - 845105
2. Jhulu Chaudhary @ Jhulur Sahni @ Jhular Sahni Son of Gauri Chaudhary @ Late Gauri Sahni Resident of Ward No. 06, Anand Nagar Ausani, P.S. - Patkhauli, District - West Champaran, Pin Code - 845105

... .. Appellant/s

Versus

1. The State of Bihar
2. Shyam Sah Gond Son of Late Kanta Sah Resident of Village - Anand Nagar Ausani, P.S. - Patkhauli, District - West Champaran, Pin Code - 845105

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Umesh Kumar Gupta, Advocate
For the Respondent/s	:	Mr. Anand Mohan Prasad Mehta, SPP
For the R.No. 2	:	Mr. Sachida Nand Rai, Mr. Avinash Raj, Adv

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 20-11-2025 Heard learned counsel for the appellants, respondent no. 2 and the State.

2. This appeal has been filed against the order dated 03.01.2025 passed by learned Additional Sessions Judge 1st -cum-Special Judge, SC/ST, Bettiah, West Champaran in ABP No. 2692 of 2024 arising out of Patkhauli P.S. Case No. 135 of 2024 registered under Sections 126(2), 115(2), 303(2), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita and Section 3(1)(r) (s), 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for



anticipatory bail of appellants has been rejected.

3. As per F.I.R., appellant no. 2 assaulted informant as a result of which leg of the informant got fractured and appellant no. 1 snatched Rs. 700/- from his pocket. It is further alleged that both these appellants abused informant by caste name.

4. Learned counsel for the appellants submits that both parties are co-villagers and due to petty dispute, altercation took place between them in which both sides sustained injuries. There is no specific allegation of any overt act against appellant no. 1. It is not the case of informant that alleged incident occurred within public view and as such, no case under SC/ST Act is made out against the appellants. Rest of the allegations are ornamental in nature. Appellants claim clean antecedent.

5. Learned Spl. Public Prosecutor for the State as well as learned counsel for the respondent no. 2 vehemently opposed the bail application and submitted that appellant no. 2 caused grievous injury to the informant.

6. Considering the fact that appellant no. 2 caused grievous injury to the informant, I do not find any ground to interfere with the order of the learned court below with regard to appellant no. 2 and as such, the appeal, which has been filed for



grant of anticipatory bail with regard to appellant no. 2, is hereby rejected.

7. Considering the nature of accusation and clean antecedent, let the appellant no. 1, as named above, in the event of her arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 1st -cum-Special Judge, SC/ST, Bettiah, West Champaran in ABP No. 2692 of 2024 arising out of Patkhauri P.S. Case No. 135 of 2024.

8. Accordingly, this criminal appeal is allowed and impugned order dated 03.01.2025 is set aside with respect to appellant no. 1 only.

(Prabhat Kumar Singh, J)

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