

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.598 of 2025

Arising Out of PS. Case No.-186 Year-2024 Thana- BOCHAHAN District- Muzaffarpur

1. Md. Sahanbaj @ Md. Sannebaj S/o- Md. Sagir Village- Shirfhudinpur Ps- Bochacha Dist- Muzaffarpur
2. Md. Gulam S/o- Late Md. Halim Village- Chak Helal Ps- Bochaha Dist- Muzaffarpur
3. Md. Rustem @ Md. Rustam S/o- Md. Halim Village- Chak Helal Ps- Bochaha Dist- Muzaffarpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Lalo Devi W/o- Mahendra Ram Village- Shirfhudinpur Ps- Bochaha Dist- Muzaffarpur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sanjeev Kumar, Adv.
For the Respondent/s : Ms. Usha Kumari 1, Spl. PP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 22-09-2025 1. Heard learned counsel for the appellants and learned Spl. P.P. for the State.
2. No one appears on behalf of the respondent no. 2 despite notice being validly served.
3. This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 23.12.2024 in A.B.P. No. 4178 of 2024 passed by the learned Special Judge S.C./S.T. (POA) Act, Muzaffarpur in



connection with Bochaha P.S. Case No. 186 of 2024 registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 117(2), 76, 303(2), 329(4), 333, 352, 351(2) and 351(3) of the BNS, 2023 as well as Sections 3(i)(r) (s) and 3(2)(va) of the SC/ST Act.

4. Learned counsel for the appellants submits that appellants are persons with clean antecedent and the informant alleges that on 08.08.2024 at about 07:30 PM, 14 named accused persons including the appellants came and entered her house and started acting inappropriately with Radha Kumari, thereafter Md. Sagir and Md. Sannebaj assaulted causing injury on left hand, further all the accused assaulted with rod and bamboo and also snatched *Mangalsutra* of Rani Devi and Rs. 15,000/- from the pocket of Akhilesh Kumar.

5. Learned counsel for the appellants submits that from perusal of the allegation as alleged in the FIR, it would manifest that allegation of abuse and assault is general and omnibus in nature. It is also submitted that entire occurrence is alleged to have taken place inside the house of the informant, as such, the occurrence was not witnessed by any independent witnesses, further as far as appellants are concerned, the allegation against them are general and omnibus in nature.



6. Learned Spl. P.P. for the State opposes the prayer for anticipatory bail of the appellants.

7. In view of the submissions made by the learned counsel for the appellants, the order dated 23.12.2024 in A.B.P. No. 4178 of 2024 passed by the learned Special Judge S.C./S.T. (POA) Act, Muzaffarpur in connection with Bochaha P.S. Case No. 186 of 2024, **is hereby set aside** and the appellants above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor court in connection with Bochaha P.S. Case No. 186 of 2024 subject to the conditions as laid down under Section 482 (2) of the BNSS.

8. **Accordingly the appeal stands allowed.**

(Satyavrat Verma, J)

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