

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1037 of 2025

Arising Out of PS. Case No.-38 Year-2024 Thana- Bijdhari District- East Champaran

1. Pappu Kumar @ Pappu Mahto Son of Ram Prasad Mahto Resident of Village - Rampur Kodar, P.S. - Bijdhari, District - East Champaran
2. Chandan Kumar @ Chandan Mahto @ Chandan Kumar Mahto Son of Mohan Mahto Resident of Village - Rampur Kodar, P.S. - Bijdhari, District - East Champaran

... .. Appellants

Versus

1. The State of Bihar
2. Lalita Devi Wife of Awadesh Ram Resident of Village - Rampur Kodar, Ward No.11, P.S. - Bijdhari, District - East Champaran

... .. Respondents

Appearance :

For the Appellants	:	Mr. Nafisu Zzoha, Advocate
For the State	:	Ms. Usha Kumari 1, APP
For the Informant	:	Mr. Surendra Nath, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 25-11-2025 Heard learned counsel for the appellants, learned Special Public Prosecutor for the State and learned counsel for the informant / respondent no.2.

2. This appeal is preferred against the order dated 11.02.2025 passed by the learned Special Judge, S.C./S.T. Act, East Champaran, Motihari, in connection with Bijdhari P.S. Case No.38 of 2024 registered for the offence under sections 126, 115(2), 118(1), 303(2), 74, 352, 351(2) and 3(5) of the B.N.S. and under sections 3(1)(r)(s)(2)va of the S.C./S.T. Act, by which the prayer of the appellants for grant of



anticipatory bail has been rejected.

3. The appellants and others are said to have abused the informant and her daughter by saying their caste. They are also said to have assaulted the informant and her daughter and tried to outrage their modesty.

4. Learned counsel for the appellant submits that both the sides are co-villagers and there is land dispute for a common passage / *rasta* between the parties. He further submits that the allegations made in the F.I.R. against the appellants appears to be vague and without relevant details.

5. Learned Special Public Prosecutor for the State and learned counsel for the informant opposed the prayer of the appellant for grant of bail.

6. Having considered the submissions of learned counsel for the appellants and also perusing the F.I.R., this Court is inclined to grant bail to the appellants.

7. Let the appellants, in the event of their arrest or surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, S.C./S.T. Act, East Champaran, Motihari / concerned Court, in connection with Bijdhari P.S.



Case No.38 of 2024, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the BNSS.

8. Accordingly, this appeal is allowed and the impugned order dated 11.02.2025 passed by the learned Special Judge, S.C./S.T. Act, East Champaran, Motihari, in connection with Bijdhari P.S. Case No.38 of 2024 is set aside.

(Sandeep Kumar, J)

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