

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1426 of 2025

Arising Out of PS. Case No.-165 Year-2024 Thana- TANKUPPA District- Gaya

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1. Sunil Mistri @ Sunil Kumar Late Baldev Mistri Village- Barsauna PS- Tankuppa, Dist- Gaya
 2. Anil Mistri @ Anil Vishwakarma S/o- Late Baldev Mistri Village- Barsauna PS- Tankuppa, Dist- Gaya
 3. Kishor Mistri @ Kishor Kumar Bharti S/o- Late Baldev Mistri Village- Barsauna PS- Tankuppa, Dist- Gaya
 4. Ramdev Mistri S/o- Late Bhaglu Mistri Village- Barsauna PS- Tankuppa, Dist- Gaya
 5. Bablu Mistri @ Bablu Kumar S/o- Ramdev Mistri Village- Barsauna PS- Tankuppa, Dist- Gaya

... .. Appellants

Versus

1. The State of Bihar
2. Hemanti Devi W/o- Chamar Chaudhary Village- Barsauna PS- Tankuppa, Dist- Gaya

... .. Respondents

Appearance :

For the Appellant/s	:	Mr. Sudhir Kumar Sinha, Advocate
For the Respondent/s	:	Ms. Usha Kumari 1, Spl. P.P.
For the Informant	:	Mr. Nalin Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 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 20.02.2025 passed by the learned Exclusive Special Judge, S.C./S.T., Gaya, in connection with Tankuppa P.S. Case No.165 of 2024 registered for the offence under sections 191(2),



190, 126(2), 115(2), 117(2), 352, 351(2), 74, 303(2) of the B.N.S., 2023 and under sections 3(1)(i) 3(1)(r), 3(1)(s) of the S.C./S.T. Act, by which the prayer of the appellants for grant of anticipatory bail has been rejected.

3. As per the F.I.R., while the informant was working in her house, the appellants came there and started abusing the informant and his family members by saying their caste name and also assaulted them. It has also been alleged that the appellants have tried to outrage the modesty of the informant.

4. Learned counsel for the appellants submits that the appellants have clean antecedent and both the parties are neighbours. He further submits that the present F.I.R. has been lodged by the informant on account of personal grudge and due to land dispute.

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. I have considered the submissions of the parties.

7. Considering the fact that both the parties are neighbours and also considering the nature of allegation, this



appeal is allowed. Accordingly, the impugned order dated 20.02.2025 is set aside.

8. 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 Exclusive Special Judge, S.C./S.T. Gaya / concerned Court, in connection with Tankuppa Saran S.C./S.T. P.S. Case No.165 of 2024, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the BNSS.

(Sandeep Kumar, J)

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