

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1690 of 2025

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

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1. Md. Saddam Son of Md. Tahir Resident of village - Sarfuddinpur Tok, P.S.- Bochahan, District - Muzaffarpur
 2. Md. Barkat Ali Son of Md. Tahir Resident of village - Sarfuddinpur Tok, P.S.- Bochahan, District - Muzaffarpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Lalo Devi Wife of Mahendra Ram Resident of village - Sarfuddinpur Tok, P.S.- Bochahan, District - Muzaffarpur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sanjay Kumar S.K.
For the Respondent/s : Mrs. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 12-11-2025 Heard learned counsel for the appellants and

learned Special Public Prosecutor 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 against the refusal of prayer of
anticipatory bail vide order dated 28.02.2025, passed by learned
Special Judge (SC/ST Act), Muzaffarpur in connection with
Bochachan P.S. Case No. 186 of 2024 registered under Sections
191(2), 191(3), 190, 126(2), 115(2), 118(1), 117(2), 76, 303(2),



329(4), 333, 352, 351(2), 351(3) of the Bhartiya Nyaya Sanhita and Section 3(1) (r), 3(1) (s), 3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

4. As per the prosecution case, the informant alleges that 14 named accused persons entered her house and started acting inappropriately with Radha Kumari, thereafter two co-accused persons assaulted causing injury on left hand, further all the accused persons assaulted with rod and bamboo stick and also snatched Mangalsutra of Rani Devi and Rs.15,000/- from the pocket of Akhilesh Kumar.

5. It is submitted by learned counsel for the appellants that, upon perusal of the allegations made in the FIR, it becomes apparent that the allegations of abuse and assault are general and omnibus in nature. It is further submitted that the entire occurrence is alleged to have taken place inside the house of the informant; therefore, the incident was not witnessed by any independent witnesses. As far as the appellants are concerned, the allegations against them are vague, general, and omnibus in nature. It is also submitted that specific allegations have been made only against Md. Sahanbaj, Md. Gulam, and Md. Rustem, who have already been granted anticipatory bail vide order dated 22.09.2025 passed in Cr. APP (SJ) No. 598 of



2025. The appellants have no criminal antecedents, as mentioned in paragraph 3 of the memo of appeal.

6. Learned Spl. PP for the State opposed the prayer for bail.

7. Having regards to the facts and circumstances of the case as there is general and omnibus allegations against the appellants, let the above named appellants, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge (SC/ST Act), Muzaffarpur in connection with Bochachan P.S. Case No. 186 of 2024, subject to the condition as laid down under Section 482 (2) of the BNSS.

8. Accordingly, the impugned order is set aside and this appeal is allowed.

(Ajit Kumar, J)

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