

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1900 of 2025

Arising Out of PS. Case No.-83 Year-2025 Thana- NAUTAN District- West Champaran

1. Sipahi Prasad S/O Late Gajadhar Prasad Resident of Village- Dhumnagar Kurmi Tola, Ward No. 01, P.S. Nautan, District- West Champaran
2. Bharat Prasad S/o-Late Gajadhar Prasad Resident of Village- Dhumnagar Kurmi Tola, Ward No. 01, P.S. Nautan, District- West Champaran
3. Rani Devi W/o-Sipahi Prasad Resident of Village- Dhumnagar Kurmi Tola, Ward No. 01, P.S. Nautan, District- West Champaran
4. Madhubala Devi @ Madhumaali Devi W/o- Bharat Prasad Resident of Village- Dhumnagar Kurmi Tola, Ward No. 01, P.S. Nautan, District- West Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Kusum Devi W/o- Jawahir Ram Resident of village- Dhumnagar, Kumari Tola, Ward No- 01, P.S- Nautan, District- West Champaran

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Sujeet Kumar, Adv.
For the State	:	Mr. Binay Krishna, Spl. PP
For Respondent No. 2	:	None

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 12-11-2025 Nobody appears on behalf of respondent no. 2.

Earlier notices were issued on 29.07.2025, which has been validly served upon her.

2. Heard learned counsel for the appellants and learned Special Public Prosecutor for the State.

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 bail *vide* order dated 22.04.2025 passed by the learned A.D.J.-Ist-cum-Special Judge SC/ST Act, Bettiah, West Champaran in A.B.P. No. 513 of 2025 arising out of Nautan P.S. Case No. 83 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 118, 109, 76, 303(2), 329(3), 352 and 3(5) of Bharatiya Nyaya Sanhita, 2023 and 3 (2)(va) of SC/ST Act.

4. The allegation against these appellants is that they acting in furtherance of common intention have mercilessly beaten the informant and abused him in filthy language.

5. Learned counsel for the appellant submits that the appellants are innocent and he has been falsely implicated in this case. It is submitted that there is case and counter case between the parties. It is further submitted that appellant no. 1 has also lodged F.I.R. against the informant and other family members of the informant bearing Nautan P.S. Case No. 29 of 2025 on 18.01.2025. It is also submitted that the present case has been lodged for the same offence on 20.02.2025 and the date of occurrence has been



mentioned as 30.12.2024 much after lodging of the F.I.R. by appellant no. 1 and one and half month of the date of occurrence without any plausible explanation for the delay. Further, it is submitted that there is admitted land dispute between the parties. The injury report of the informant and the injury report of the daughter of the informant will show that they have sustained simple injury caused by hard and blunt substance. As per the prosecution case, no offence has been made out under the SC/ST Act. Lastly, it is submitted the appellants have no criminal antecedents.

6. Learned Special Public Prosecutor for the State vehemently opposed the prayer of the appellants.

7. Having considered the facts and circumstances of the case, let the above named appellants, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, upon furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J.-Ist-cum-Special Judge SC/ST Act, Bettiah, West Champaran in connection with Nautan P.S. Case No. 83 of 2025, subject to the condition as



laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

8. The impugned order dated 22.04.2025 passed in Anticipatory Bail Petition No. 513 of 2025 by the learned A.D.J.-Ist-cum-Special Judge SC/ST Act, Bettiah, West Champaran is hereby set aside.

9. The appeal stands allowed.

(Khatim Reza, J)

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