

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1909 of 2025

Arising Out of PS. Case No.-15 Year-2025 Thana- SC/ST District- Patna

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1. Mantu Rai @ Mantu Kumar S/O Late Sebai Rai @ Late Shival Rai Village- Shivchak Sampatchak, Post Office- Nadghat, Police Station- Gaurichak, District- Patna
 2. Veer Lakhan Kumar @ Rohit Kumar S/O Lotha Rai @ Satyendra Narayan Singh Village- Shivchak Sampatchak, Post Office- Nadghat, Police Station- Gaurichak, District- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Sabita Devi W/O Jitendra Das R/O Udaypur, P.s.- Gaurichak, Dist.- Patna.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Sanjeet Kumar, Adv.
For the State	:	Mr. Sadanand Paswan, Spl. PP
For Respondent No. 2	:	None

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 12-11-2025 Nobody appears on behalf of respondent no. 2.

Earlier notices were issued upon respondent no. 2, 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 16.04.2025 passed in Anticipatory Bail Petition No. 1272 of



2025 by the learned Exclusive Special Judge (SC/ST) Act, Sadar, Patna in connection with SC & ST P.S. Case No. 15 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 74, 352, 351(2), 351(3) and 3(5) of Bharatiya Nyaya Sanhita, 2023 and Sections 3(1) (r), 3(1) (s) and 3(2) (va) of SC/ST Act.

4. The case of the prosecution, in brief, is that on the alleged date of occurrence when the informant and her husband were harvesting and collecting paddy crops, in the meantime, the appellants came and started abusing by taking caste name and when the informant raised objection, then appellant no. 1 started assaulting the informant and her husband as well as threatened to kill them.

5. Learned counsel for the appellants submits that the appellants are innocent and they have been falsely implicated in this case. It is submitted that there is specific allegation against appellant no. 1 that he assaulted with fists and slaps but no injury has been found on the person of the injured. There is no injury report available in the case diary. The allegation with regard to abusing by taking caste name is totally false and ornamental. The said offence has been



committed in agricultural field of Shivnath Rai. It is apparent from the F.I.R. that there was no person available at the time of the occurrence. It is further submitted that there is no specific allegation against appellant no. 2. Lastly, it is submitted the appellants have no criminal antecedents.

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

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 Exclusive Special Judge (SC/ST) Act, Sadar, Patna in connection with SC & ST P.S. Case No. 15 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 16.04.2025 passed in Anticipatory Bail Petition No. 1272 of 2025 by the learned Exclusive Special Judge (SC/ST) Act, Sadar, Patna is



hereby set aside.

9. The appeal stands allowed.

(Khatim Reza, J)

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