

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2142 of 2025

Arising Out of PS. Case No.-50 Year-2024 Thana- SC/ST District- Begusarai

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1. Chhote Ram @ Amar Shakti @ Chhotiya S/o Umesh Ram Resident of Near Sattu Mill, Kewat Tola, P.O- Ulao, P.S- Singhaul, Distt.- Begusarai
 2. Ganesh Ram S/o Govind Ram Resident of Near Sattu Mill, Kewat Tola, P.O- Ulao, P.S- Singhaul, Distt.- Begusarai
 3. Rajesh Ram S/o Govind Ram Resident of Near Sattu Mill, Kewat Tola, P.O- Ulao, P.S- Singhaul, Distt.- Begusarai
 4. Ranju Kumari W/o Ganesh Ram Resident of Near Sattu Mill, Kewat Tola, P.O- Ulao, P.S- Singhaul, Distt.- Begusarai

... .. Appellant/s

Versus

1. The State of Bihar
2. Kranti Kumari D/o Late Vishnudev Paswan, W/o Late Rajkumar Paswan R/o vill - Ullao, P.S.- Singhaul, Distt.- Begusarai

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Arvind Kumar, Adv
For the Respondent/s	:	Ms.Usha Kumari 1, Spl. PP
		Mr. Bijay Kumar Pandey, Advocate
		Mr. Shree Kand Vaidya, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 11-09-2025 1. Heard learned counsel for the appellants, learned Spl. P.P. for the State, Ms. Usha Kumari No. 1 and the learned counsel appearing on behalf of the respondent No. 2.

2. 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 anticipatory bail vide order dated 30-4-2025 in A.B.A. No. 778 of 2025 passed by the



learned Exclusive Special Judge S.C./S.T. (POA) Act, Begusarai in connection with SC/ST P.S. Case No. 50 of 2024 registered for the offences punishable under Sections 126(2), 115(2), 76, 352, 351(2), 351(3) and 3(5) of BNS as well as Sections 3(1)(r), 3(1)(s), 3(1)(w) and 3(2)(va) of the SC/ST Act.

3. The learned counsel appearing on behalf of the appellants submits that appellants are persons with clean antecedents and the informant alleges that on 19-8-2024, all accused persons including the appellants entered her house and assaulted and abused her by taking caste names and also spat on her face, further the accused persons also misbehaved with her children and also threatened not to go to police or else they will implicate her in false case of loot and will kill her.

4. The learned counsel for the appellants submits that from bare perusal of the allegation as alleged in the FIR, it would manifest that the occurrence had not taken place in public view, rather the occurrence took place inside the house of the informant. It is further submitted that there is an admitted land dispute in between the appellants and the informant. It is next submitted that informant of the present case, Kranti Kumari, is plaintiff No. 2 in Title Suit No. 258/221 of 2024 in which appellant Nos. 2 and 4 are defendants and the said title suit is



pending adjudication in the court of learned Sub-Judge-I, Begusarai. It is submitted that appellant Nos. 1 and 3 are related to the appellant Nos. 2 and 4. It is thus submitted that on account of dispute relating to land, the present false case came to be instituted. It is next submitted that even presuming what has been alleged is true without admitting, then no offence under the SC/ST Act is made out in the nature of allegation as alleged in the FIR.

5. The learned Spl. PP and the learned counsel appearing on behalf of the respondent No. 2 opposes the appeal and submits that the Hon'ble Supreme Court in the case of ***Bachu Das v. State of Bihar & Ors.*** reported in ***(2014) 3 SCC 471*** held that if the learned Magistrate has taken cognizance of the offence against the accused in such a situation a *prima facie* case against the accused person is made out. Learned counsel for the respondent No. 2 submits that charge-sheet has been submitted and the learned Magistrate has taken cognizance against the appellants.

6. After hearing the learned counsel for the parties, it appears that there is admitted land dispute between the parties and allegations of indignation, humiliation and harassment of the informant by the appellants and other accused persons are



not due to the fact that informant and the family members belong to a vulnerable section of the society rather on account of land dispute, it appears that the instant FIR has been instituted falsely implicating the appellants, moreso when the occurrence is not alleged to have taken place in public view.

7. Considering the aforesaid facts, let the appellants above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory 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 the learned trial court where the case is pending/successor court in connection with the aforesaid case, subject to the conditions as laid down under Section 482 (2) of the BNSS.

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

(Satyavrat Verma, J)

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