

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2695 of 2025

Arising Out of PS. Case No.-115 Year-2025 Thana- BYPASS District- Patna

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1. Rahul Ranjan S/O Late Balram Singh @ Late Balram R/O Village-Chainpura (Mahavir Asthan Kushwaha Panchit Baitika), P.S- Bypass, Distt.- Patna.
 2. Rohit Ranjan S/O Late Balram Singh @ Late Balram R/O Village-Chainpura (Mahavir Asthan Kushwaha Panchit Baitika), P.S- Bypass, Distt.- Patna.

... .. Appellants.

Versus

1. The State of Bihar
2. Pritam Paswan S/O Gorelal Paswan R/O Mandai Chauraha Begampur, P.S- Bypass, Distt.- Patna.

... .. Respondents.

Appearance :

For the Appellants	:	Mr. Udai Shankar Singh, Advocate
For the State	:	Mrs. Usha Kumari-1, Special P.P.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 21-11-2025 Heard learned counsel for the appellants and learned Special Public Prosecutor for the State but, in spite of repeated calls, none appeared on behalf of respondent no.2. It is informed that on the last occasion also none had appeared on behalf of 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 in short referred to as the 'SC/ST Act') against the refusal of prayer of anticipatory bail vide order dated 18.06.2025 passed by learned Exclusive Special Judge (SC/ST Act), Patna in connection with Bypass



P.S. Case No. 115 of 2025 registered under Sections 126(2), 115(2), 352, 351(2), 351(3) and 3 (5) of the B.N.S. and Section 3(1) (r) (s)/ 3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. The case of the prosecution, as disclosed in the F.I.R., in brief, is that all the F.I.R. named accused persons including the appellants came to the land of the informant, started abusing him by caste name and also demanded Rs.50,000/- as ransom.

4. It is submitted by learned counsel for the appellants that there is land dispute between the parties and on account of the same, general and omnibus allegations have been alleged against all the accused persons including the present appellants. It has been pointed out that there is title suit pending between the parties and Annexure-2, which is a rent receipt has also been brought on record in order to contend that the land has been mutated in the name of the appellants. It is further submitted that the first information report does not disclose that the allegation of caste based remarks has taken place in any public view, as such the provisions of SC/ST would not be applicable.

5. Learned Special Public Prosecutor for the State opposed the prayer for bail on the ground of allegations made in the first information report.



6. It *prima facie* appears that the occurrence has not taken place in public view and hence the provisions of SC/ST Act would not get attracted.

7. Taking into consideration the facts and circumstances of the case and also considering the fact that there are general and omnibus allegations against all the accused persons including the appellants as well as the fact that there is *inter se* land dispute, 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 released 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 Exclusive Special Judge (SC/ST Act), Patna in connection with Bypass P.S. Case No.115 of 2025, 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.

(Soni Shrivastava, J)

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