

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2936 of 2025

Arising Out of PS. Case No.-105 Year-2025 Thana- AGRER District- Rohtas

Ramjee Mishra son of Late Jai Kumar Mishra Village -Sisrit,Ps -Nokha ,
District -Rohtas Presently Mohalla -Gajraga Ward No 13, Gali No 8 -B, Ps
-Sasaram Town District -Rohtas

... .. Appellant/s

Versus

1. The State of Bihar
2. Pramila Devi Wife of Jaigobind Ram village- Bhejla, Ps- Sasaram town,
Dist- Rohtas Sasaram

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Manan Kumar Mishra, Sr. Advocate Mr. Ramakant Sharma, Sr. Advocate Mr. Vishwajeet Kumar Mishra, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl. Public Prosecutor Mr. Rajendra Kumar Deo, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-08-2025 Heard learned counsel for the appellant, respondent
no. 2 and the State.

2. This criminal appeal has been filed against the order dated 03.07.2025 passed by learned Additional District & Sessions Judge-17th-cum- Exclusive Special Judge (SC & ST Act), Rohtas at Sasaram in connection with Agrer P.S. Case No. 105 of 2025, instituted under Sections 191(2), 191(3), 117(2), 126(2), 115(2), 352, 351(2), 109, 303(2), 3(5) of the Bharatiya Nyaya Sanhita, Section 27 of the Arms Act and Sections 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for



anticipatory bail of appellant has been rejected.

3. As per prosecution case, on 13.06.2025 at about 9:30 AM, all the F.I.R. named accused persons, including this appellant and 30-40 unknown persons, armed with weapons, came at the door of informant, abused her by caste name and assaulted informant and her family members by means of iron rod, *danda* due to which informant and others sustained injury. It is further alleged that they also tried to outrage modesty of the informant and looted valuable items from her house.

4. Learned counsel for the appellant submits that appellant is innocent and has committed no offence. As a matter of fact, there is land dispute between the parties. Appellant's wife after purchasing and taking possession over the land in question started collecting material over the land for constructing house. On 10.06.2025, when construction work was going on over the land in question, informant and others created hindrance and threatened appellant for implicating them in false SC/ST and other cases for which appellant's wife filed an application before the Circle Officer and concerned SHO but no action was taken by them and thereafter, on 13.06.2025, present F.I.R. was lodged by the informant just to grab the land of appellant. He further submits that the Scorpio car bearing



registration no. BR 46 N3189 does not belong to the appellant and has been seized from one petrol pump which is situated 32 km away from the land in question. Even as per F.I.R., this appellant is only alleged to be the order giver and there is absolutely no allegation of assault against him. It is not the case of informant that alleged incident occurred within the public view, as such, no offence under SC/ST Act is made out against the appellant. Rest of the allegations are ornamental only to make the case grave. Appellant claims clean antecedent.

5. Learned Spl. Public Prosecutor for the State as well as learned counsel for the respondent no. 2 vehemently opposed the bail application.

6. Considering the fact that appellant is only alleged to be the order giver and other facts and circumstances of the case, let the appellant, as named above, in the event of his arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-17th-cum- Exclusive Special Judge (SC & ST Act), Rohtas at Sasaram in connection with Agrer P.S. Case No. 105 of 2025.

7. Accordingly, this criminal appeal is allowed and



impugned order dated 03.07.2025 is set aside with respect to
this appellant only.

(Prabhat Kumar Singh, J)

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