

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4102 of 2024

Arising Out of PS. Case No.-112 Year-2024 Thana- KALUAHI District- Madhubani

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1. Hira Lal Thakur @ Heera Thakur @ Heeralal Thakur Son of Late Bharat Thakur Resident of Village - Jahada, P.S. - Kaluahi, District - Madhubani
 2. Raman Kumar Thakur Son of Hira Lal Thakur Resident of Village - Jahada, P.S. - Kaluahi, District - Madhubani
 3. Amarjeet Thakur Son of Hira Lal Thakur Resident of Village - Jahada, P.S. - Kaluahi, District - Madhubani
 4. Anil Thakur @ Anil Kumar Thakur Son of Sitaram Thakur Resident of Village - Jahada, P.S. - Kaluahi, District - Madhubani

... .. Appellant/s

Versus

1. The State of Bihar
2. Amresh Kumar Paswan Son of Birendra Paswan Resident of Village - Nagar Kothi Chowk, P.S. - Kaluahi, District - Madhubani

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Prabhakar Thakur, Advocate
For the State	:	Mr. Sadanand Paswan, Spl. P.P.
For the Informant	:	Mr. Gagandeo Yadav, Advocate
		Mr. Ravi Prakash, Advocate
		Mr. Udeshya Kumar Yadav, Advocate
		Mr. Vinod Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 12-11-2025 Heard learned counsel for the appellants, learned Special Public Prosecutor for the State, and learned counsel for the informant.

2. This appeal has been preferred against the order dated 07.08.2024, passed by the learned Additional Sessions Judge-I-cum-Special Judge, Madhubani, in connection with Kaluahi P.S. Case No. 112 of 2024, registered for the offences under Sections 341, 323, 324, 307, 379, 354, 504, 506, and 34



of the Indian Penal Code and Sections 3(1)(r)(s) and 3(2)(v) of the S.C./S.T. (Prevention of Atrocities) Act, by which the prayer for anticipatory bail of the appellants was rejected.

3. As per the prosecution case, due to a dispute over payment of money, the alleged occurrence took place. The appellants are said to have abused the informant by taking his caste name.

4. Learned counsel for the appellants submits that the appellants have been falsely implicated in this case and no offence under the provisions of the S.C./S.T. (Prevention of Atrocities) Act is made out against them. Hence, the application for anticipatory bail is maintainable.

5. Learned counsel for the informant has vehemently opposed the prayer for anticipatory bail.

6. From a perusal of the F.I.R., it appears that the case arises out of a dispute over payment of money and it does not appear that the alleged occurrence was committed against the informant on the ground that he belongs to the S.C./S.T. community.

7. Considering the rival submissions of the parties and upon perusal of the record, this appeal is allowed, and accordingly, the order dated 07.08.2024, passed by the learned



Additional Sessions Judge-I-cum-Special Judge, Madhubani, in connection with Kaluahi P.S. Case No. 112 of 2024, is set aside.

8. Let the appellants, in the event of their arrest or surrender within four weeks from today, be released on 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 Court of Additional Sessions Judge-I-cum-Special Judge, Madhubani / concerned Court below, in connection with Kaluahi P.S. Case No. 112 of 2024, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita (B.N.S.S.).

(Sandeep Kumar, J)

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