

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4394 of 2024

Arising Out of PS. Case No.-78 Year-2024 Thana- PIPRAKOTHI District- East Champaran

1. Manoj Mukhiya S/o Late Sukhal Mukhiya
 2. Nawal Mukhiya S/o Late Sukhal Mukhiya
 3. Santosh Mukhiya S/o Late Sukhal Mukhiya
 4. Binod Mukhiya S/o Late Sukhal Mukhiya
 5. Gita Devi W/o Nawal Mukhiya
 6. Hewanti Devi W/o Manoj Mukhiya
 7. Amrawati Devi W/o Binod Mukhiya
- Appellant/s
- Versus
1. The State of Bihar
 2. Sarita Devi W/o Sanjay Paswan R/o Village- Hathiyahi Teddi Ghat , P.S- Pipra Kothi, District- East Champaran
- Respondent/s

Appearance :

For the Appellant/s : Mr.Vijay Shankar Shrivastava, Advocate
For the Respondent/s : Mr.Binay Krishna, Spl PP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT

Date : 20-11-2025

Heard learned counsel for the appellants and learned
Special PP for the State.

02. The present appeal has been preferred by the appellants under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act against the refusal of prayer for anticipatory bail by order dated 31.07.2024 passed by learned Special Judge, SC/ST Act, East Champaran at Motihari in connection with Pipra Kothi P.S. Case No. 78 of



2024 registered on 06.04.2024 for the alleged offences under Sections 147, 149, 341, 323, 325, 447, 354(B), 504, 506 of the Indian Penal Code and Section 3 (I) (r) (s) (xi) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

03. As per the prosecution case, the appellants and other co-accused persons, who were armed with *lathi*, *fatha*, iron rod, dragged out the informant from her house and assaulted her. When the mother-in-law of the informant tried to save her, she was also assaulted. The appellant no. 2 Nawal Mukhiya assaulted the informant with iron rod causing fracture on her left hand and clothes of the informant was also torn.

04. Learned counsel for the appellants submits that the appellants are innocent and have been falsely implicated in this case. No occurrence as alleged has ever taken place. Altogether ten persons have been made accused in this case saying that they assaulted the informant and her mother-in-law with *lathi*, iron rod, bamboo stick, but there is only one injury on the informant, which too is abrasion on left elbow of size 1” x 1/2” and there is no injury report of the mother-in-law of the informant. The learned counsel further submits that this falsifies the whole prosecution case against the appellants. Further the allegation of taking caste name and abusing the informant, as



per allegation, took place in the premises of the informant and no intention could be inferred to humiliate the informant. It is not believable that only because the informant has made her house in front of the house of the appellants, they would assault her. On the facts, it is apparent that it is completely false and concocted case. The learned counsel further submits that the appellants are having clean antecedent.

05. Learned Special PP vehemently opposes the submission made on behalf of the appellants.

06. Having regard to the aforesaid facts and circumstances and submissions made on behalf of the parties and considering the doubtful nature of accusation and clean antecedent of the appellants, let the appellants above named in the even of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST (POA) Act, East Champaran, Motihari, in connection with Pipra Kothi P.S. Case No.78 of 2024, subject to the condition laid down under Section 482 (2) of BNSS and other following conditions:

(i) One of the bailors will be a close relative of



the appellants.

(ii) The appellants will remain present on each
and every date fixed by the court below.

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

(Arun Kumar Jha, J)

V.K.Pandey/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.11.2025
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