

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.4380 of 2024**

Arising Out of PS. Case No.-140 Year-2024 Thana- JANTA BAZAR District- Saran

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Raju Tiwari Son of Late Dhrup Deo Tiwari @ Dhrup Tiwari R/O Vill.- Jagatpur Tarwara, P.S.- Janta Bazar, Dist.- Saran.

... .. Appellant/s

Versus

1. The State of Bihar
2. Chanesar Manjhi Son of Late Buddhan Manjhi R/O Vill.- Jagatpur Tarwara, P.S.- Janta Bazar, Dist.- Saran.

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Nalin Vilochan Tiwary, Advocate  
For the Respondent/s : Ms. Usha Kumari No. 1, Spl.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

4      18-12-2025                      1. Heard learned counsel for the appellant and learned Special Public Prosecutor for the State.

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 31.08.2024 in A.B.P. No. 3058 of 2024 passed by the learned Exclusive Special Judge SC/ST Act, Saran at Chapra in connection with Janta Bazar P.S. Case No. 140 of 2024 registered under Sections 127(1), 115(2), 352, 351(2) and 3(5) of the BNS as well as Sections 3(i)(r)(s) and 3(2)(va) of the SC/ST Act.

3. Learned counsel appearing on behalf of the



appellant submits that from perusal of the office report dated 05.12.2025, it would manifest that the same records that notice has been validly served upon respondent no. 2 but then respondent no. 2, despite receiving notice, chooses not to appear and contest the case. It is further submitted that appellant is a person with clean antecedent and in sum and substance, the informant alleges that appellant abused him by taking caste name and assaulted and he was saved by the co-villagers, namely, Raju Dubey, Janak Tiwari and Kamala Tiwari.

4. Learned counsel for the appellant submits that case diary was called for and from perusal of paragraphs no. 5, 6 and 7 of the case diary, it would manifest that the same records the statement of Raju Dubey, Janak Tiwari and Kamala Tiwari and the witnesses have not even remotely supported the case of the prosecution with regard to the abuse and assault.

5. Learned Special Public Prosecutor opposed the prayer for anticipatory bail.

6. Considering the submissions made by the learned counsel appearing on behalf of the appellant, let the appellant, above named, in the event of his arrest or surrender before the learned Trial Court within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on



furnishing bail bonds of Rs.5,000/- (rupees five thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 482(2) of the BNSS.

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

**(Satyavrat Verma, J)**

Kundan/-

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