

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4393 of 2024

Arising Out of PS. Case No.-145 Year-2024 Thana- TARAIYA District- Saran

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1. Lakshman Prasad @ Saurya @ Saurabh Kumar S/o Vidya Prasad Resident of Village- Faridanpur, PS- Taraiya, District- Saran
 2. Indrajeet Kumar @ Indrajeet Prasad S/o Late Raj Narayan Prasad Resident of Village- Faridanpur, PS- Taraiya, District- Saran
 3. Ranjay Kumar Prasad @ Ranjay Kushwaha S/o Late Raj Narayan Prasad Resident of Village- Faridanpur, PS- Taraiya, District- Saran

... .. Appellant/s

Versus

1. The State of Bihar
2. Sheela Devi W/o Munna Ram R/o Vill - Faridanpur, P.S. - Taraiya, Distt. - Saran

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Anjani Parashar, Advocate
For the Res. State	:	Mr. Binay Krishna, Special PP
For the Res. No. 2	:	Mr. Mrityunjay Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT

Date : 17-11-2025

Heard learned counsel for the appellants, learned counsel for the informant/respondent no.2 as well as learned special PP for the State.

2. 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, 1989 against the refusal of their prayer for anticipatory bail by order dated 14.08.2024 passed by learned Exclusive Special Judge, SC/ST (Prevention of Atrocities) Act, Saran at Chapra in connection



with Taraiya Case No. 145 of 2024, registered on 05.04.2024, for the alleged offences under Sections 341, 323, 354(A), 506/34 of the Indian Penal Code and Section 3(1)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. As per the prosecution case, while the informant had been working in the house of one Tarkeshwar Prasad, the appellants along with co-accused persons armed with *lathi* and *danda* came there. Taking caste name of the informant, co-accused Manish Prasad put her down after catching her hands and tore her clothes. Appellant No. 2 put down one Rajpati Devi and caused injury to her by assaulting her.

4. Learned counsel for the appellants submits that the appellants are innocent and have been falsely implicated in this case and the occurrence in the stated manner never took place. The person in whose house the informant had been working is the agnate of the appellants and they are on litigating term. Earlier the employer of the informant, namely Tarkeshwar Prasad lodged Taraiya P.S. Case No.143 of 2024 against the appellants and their family members and as its counter version, Taraiya P.S. Case No.144 of 2024 was lodged by the father of appellant no.1. The informant of Taraiya P.S. Case No.



143 of 2024 has set up the informant for lodging the present case. No offence under Section 3(1)(r)(s) of SC/ST (Prevention of Atrocities) Act is made out in the present case as from the FIR, it is apparent that the occurrence took place in the house of Tarkeshwar Prasad which is not a public place and it was not in public view. There is no injury either to the informant or the said Rajpati Devi, who does not belong to SC/ST community. Learned counsel further submits that the injury report of informant shows only pain in both hands and pain in cervical region. Similarly injury report of Rajpati Devi shows pain in right shoulder and pain in cervical bone apart from backache. The injury reports show falsity of allegations. Learned counsel further submits that during investigation, statement of one Sudish Kumar Ram was recorded and from his statement, it appears that it was the informant who abused the appellant no. 1. The appellants are having criminal antecedent of one case, i.e., Taraiya P.S. Case No. 143 of 2024 lodged by the employer of the informant, namely Tarkeshwar Prasad, and the appellants are on bail in the said case.

5. Learned Special PP as well as learned counsel for the informant/respondent no. 2 vehemently oppose the submission made on behalf of the appellants. Learned counsel



for the respondent no. 2 submits that the occurrence took place at the place where thresher machine had been running and it could be said that the occurrence took place in public view.

6. Perused the record.

7. Having regard to the aforesaid facts and circumstances and submissions made on behalf of the parties and considering the background of dispute and further considering the doubtful nature of accusation for making out a case under the provisions of SC/ST (Prevention of Atrocities) Act and also considering the absence of injury in terms of allegations, 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 bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST (Prevention of Atrocities) Act, Saran at Chapra in connection with Taraiya P.S. Case No. 145 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 the close relative of the appellants.
- (ii) The appellants will remain present on each



and every date fixed by the court below.

8. Accordingly, the impugned order dated 14.08.2024
is set aside and the appeal is allowed.

(Arun Kumar Jha, J)

Ashish/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.11.2025
Transmission Date	18.11.2025

