

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2432 of 2025

Arising Out of PS. Case No.-31 Year-2025 Thana- JADIA District- Supaul

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1. Vidyanand Sah son of Late Ratan Sah Resident of Harinaha Ward no. 9, PS-
Jadiya District -Supaul
 2. Anmol Sah son of Late Ratan Sah Resident of Harinaha Ward no. 9, PS-
Jadiya District -Supaul
 3. Santosh Sah Son of Mehendra Sah Resident of Harinaha Ward no. 9, PS-
Jadiya District -Supaul

... .. Appellant/s

Versus

1. The State of Bihar
2. Chandan Devi wife of Sikendra Paswan village- Pandiyapatti ward no. 8, Ps-
Jadiya, Dist- Supaul

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Praveen Kumar Agrawal
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 25-11-2025 Heard the parties.

2. This appeal is preferred against the order dated 29.04.2025 passed by the learned Additional Sessions Judge-I-cum- Special Judge, SC/ST Act, Supaul in ABP No. 497 of 2025 in connection with Jadiya P.S. Case No. 31 of 2025 registered for the offence under Sections 126(2), 115(2), 329(3), 352, 351(2), 326(g), 324(4), 3(5) of the BNS and under section 3 (v), 3(i)(r), 3(i)(s) of S.C/S.T. (POA) Act by which anticipatory bail filed by the appellants has been rejected.



3. As per the prosecution case, for a dispute over land, the appellants are said to have assaulted the prosecution side and have abused by taking caste name.

4. Learned counsel for the appellants submits that the appellant has falsely been implicated in this case and no offence under the provisions of SC/ST Act is made out in this case as the occurrence has taken place because of land dispute and therefore the application of the anticipatory bail is maintainable.

5. Learned counsel for the State has opposed the prayer of the appellant.

6. From the reading of the entire FIR it does not appear that offence has been committed against the informant on the ground that she is a member of SC/ST community and primarily, it appears that for land dispute, the occurrence has taken place and therefore, this application for grant of anticipatory bail is held to be maintainable.

7. Considering the facts of the case and the rival submissions of the parties, this appeal is allowed and accordingly, the order dated 29.04.2025 passed by the learned Additional Sessions Judge-I-cum- Special Judge, SC/ST Act, Supaul in ABP No. 497 of 2025 in connection with Jadiya P.S. Case No. 31 of 2025, is hereby 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 Additional Sessions Judge-I-cum- Special Judge, SC/ST Act/concerned Court below in connection with Jadiya P.S. Case No. 31 of 2025, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the BNSS.

(Sandeep Kumar, J)

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