

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4865 of 2024

Arising Out of PS. Case No.-264 Year-2024 Thana- DHANARUA District- Patna

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1. Sanjeev Kumar Son of Lalji Mahto Resident of Village- Sanda, P.S.- Dhanrua, District- Patna
 2. Ravi Ranjan Kumar Son of Lalji Mahto Resident of Village- Sanda, P.S.- Dhanrua, District- Patna
 3. Gaurav Kumar Son of Ranjay Malakar Resident of Village- Sanda, P.S.- Dhanrua, District- Patna
 4. Sakti Kumar Son of Chandra Shekhar Malakar Resident of Village- Sanda, P.S.- Dhanrua, District- Patna
 5. Dara Kumar Son of Ramesh Mistry Resident of Village- Sanda, P.S.- Dhanrua, District- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Ram Kumar Chaudhary Son of Sidheshwar Choudhary Resident of Village- Sanda, P.S.- Dhanrua, District- Patna

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sheonandan Pandit, Adv.
For the Respondent/s : Mr. Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 12-11-2025 Heard learned counsel for the appellants and the
respondent no. 2.

2. This appeal has been filed against the order dated 30.08.2024 passed in A.B.P. No. 2753/2024 in connection with Dhanrua P.S. Case No. 264/2024 passed by learned Exclusive Special Judge, SC/ST Act, Patna by which anticipatory bail petition filed by the appellants were rejected who have been made accused in Dhanrua P.S. Case No. 264/2024 for offence



under section 447, 341, 323, 504, 506, I.P.C. and u/s 3(i)(r)(s) of the SC/ST Act.

3. As per the prosecution story, the informant alleged that while he was sitting on the door, the accused persons came and after taking caste name, threatened of dire consequences and also assaulted causing injury in Dhanrua P.S. Case No. 47 of 2024 lodged earlier is not taken back. This led to the FIR.

4. Learned counsel for the appellant submits that there is nothing on record to show that actually what word was used to abuse the informant. Though allegation of assault is there, there is no injury report on record. The only criminal antecedent that can be seen in paragraph 3 relates to the case lodged by the same informant. If granted relief, they shall be diligently appearing in trial.

5. Learned counsel representing the respondent no. 2 opposes the prayer submitting that earlier, they were assaulted and again threatened of dire consequences.

6. Taking into account the submissions of the parties as also that the utterance that finds incorporated in the FIR prima facie do not attract the different sections of the Act, the allegation is there, injury report is also not on record, in that background, this Court is inclined to grant them the anticipatory



bail with conditions.

7. The impugned order dated 30.08.2024 passed in A.B.P. No. 2753/2024 in connection with Dhanrua P.S. Case No. 264/2024 passed by learned Exclusive Special Judge, SC/ST Act, Patna stands set aside and the appeal is allowed.

8. Let the appellants, named above, in the event of arrest/surrender within a period of eight weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, SC/ST Act, Patna in connection with Dhanrua P.S. Case No. 264/2024 with the following conditions:

(i) one of the bailor should be the family members/relatives of the appellants, who shall provide official document to show his *bona fide*;

(ii) the appellants shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the appellants shall appear before the concerned police station every fortnight for next six months to mark attendance and at the end of the period, the certificate be submitted to the Court;



(iv) the appellants shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the appellants shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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