

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5639 of 2024

Arising Out of PS. Case No.-92 Year-2024 Thana- RUPO District- Nawada

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1. Jitendra Singh S/O Shivdani Singh Resident Of Village- Chhanoun, P.S- Rupau, District- Nawada.
 2. Lav Kumar S/O Sanjay Singh Resident Of Village- Chhanoun, P.S- Rupau, District- Nawada.
 3. Kush Kumar S/O Sanjay Singh Resident Of Village- Chhanoun, P.S- Rupau, District- Nawada.
 4. Mandal Kumar @ Randhir Kumar S/O Sanjay Singh Resident Of Village- Chhanoun, P.S- Rupau, District- Nawada.

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Rukba Devi W/O Tetar Manjhi R/O Village- Chhanoun, P.S- Rupuo, Distt.- Nawada.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Sheo Kumar Prasad, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 13-11-2025 Heard learned counsel for the appellants and learned
Spl. P.P. 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 13.11.2024 in A.B.P. No. 2799 of 2024 passed by the learned Exclusive Special Judge Special Court SC/ST Nawada, in connection with Rupau P.S. Case No. 92 of 2024



registered for the offences punishable under Sections 126(2), 115(2), 76, 352, 351(2) and 3(5) of the B.N.S. and Sections 3(i)(r)(s) and 3(2)(va) of the SC/ST Act.

3. Learned counsel for the appellants submits that the case was taken up on 12.11.2025 when no one had appeared on behalf of the informant. Today also when the case is taken up, nobody appears on behalf of the informant. The learned counsel for the appellants next submits that the informant alleges that on 05.10.2024 at 03:00 P.M., the accused persons including these appellants came and asked her to do the work which she refused on the ground that they do not pay the labour charges on which Jitendra abused by taking the caste name and Luv Kumar dashed her on the ground on account of which she became unveiled.

4. Learned counsel for the appellants submits that the appellants have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR it would manifest that on account of dispute relating to work, the occurrence is alleged to have taken place. It is further submitted that no such occurrence as alleged ever took place and even presuming what has been alleged is true without admitting then the entire occurrence had



taken place in the house of the informant and thus was not in the public view and the FIR also does not even remotely suggest that the occurrence was witnessed by any independent witness. It is also submitted that this perhaps explain, why the informant has lost interest in the case.

5. Learned Spl. P.P. for the State opposes the prayer for anticipatory bail of the appellant.

6. Considering the submissions made by the learned counsel appearing on behalf of the appellants, let the appellants above-named, in the event of their arrest or surrender before the learned trial trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court 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 the appeal stands allowed.

(Satyavrat Verma, J)

AjayMishra/-

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