

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.30 of 2025

Arising Out of PS. Case No.-295 Year-2024 Thana- AMAS District- Gaya

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1. Md. Imteyaz Ansari @ Md. Imteyaz Alam son of Md. Reyaz Ansari Vill -Akauna, PS-Amas, Dist -Gaya
 2. Deepak Paswan @ Deepak Kumar son of Surendra Paswan Vill -Akauna, PS-Amas, Dist -Gaya
 3. Vinay Yadav @ Vinay Kumar son of Arjun Yadav Vill -Akauna, PS-Amas, Dist -Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Kumari Pratima wife of Vinay Kumar Das Vill -Akauna, PS-Amas, Dist -Gaya

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Priya Ranjan, Adv.
For the Respondent/s	:	Ms. Usha Kumari 1, Spl. PP
For the Informant	:	Mr. Sudhir Kumar Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 4 19-11-2025 1. Heard learned counsel for the appellants and learned Spl. P.P. for the State, Mr. Usha Kumari 1.
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 06.12.2024 in A.B.P. No. 384 of 2024 passed by the learned Exclusive Special Judge S.C./S.T. (POA) Act, Gaya in connection with Amas P.S. Case No. 295 of 2024 registered for the offences punishable under Sections 115, 126(2), 303(2), 351(2), 352, 191(2), 190, 74 and 324(2) of the BNS, 2023 read with Sections 3(i), (r), 3, (i), (r), (s), 3(2), (va) of the SC/ST Act.

3. Learned counsel for the appellants submits that appellants have antecedent of one case and the informant alleges that on 03.09.2024 at 09:00 AM, she received an information that some accused are trying to grab her ancestral land, accordingly, she reached the place of occurrence along with her family members, and saw seven accused persons including the appellants were constructing boundary wall, on objection accused abused them by taking caste name and said that the land has been purchased by them, further Ashish threatened Sanjay with pistol, while Deepak and Mantu acted inappropriately with her daughter and Sarfaraz teased her sister-in-law (*nanad*) and snatched her chain and set ablaze the grass cutting mill on the land.

4. Learned counsel appearing on behalf of 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 land, the occurrence is alleged to have taken place. It is next submitted that though the informant alleges that the land is her ancestral land, but then no documentary evidence in support of the same was annexed with the FIR nor any document during the course of investigation was shown to the police to establish that the land belongs to her. It is further submitted that side of the appellants are purchaser of the land and the informant and her side were trying to disturb the possession of the appellants. It is next submitted that though it is alleged that appellants abused her by taking caste name, but then the allegation of abuse is not specific, rather is general and omnibus in nature. It is also submitted that it does not appear probable that all the accused, in one go, would have abused the informant by taking her caste name. It is further submitted that in order to give seriousness to the case, it is alleged that Ashish threatened Sanjay with pistol, but then the FIR has not been instituted under the arms act and allegations of teasing her sister-in-law and acting inappropriately with her daughter are ornamental in nature. It is reiterated and submitted that the allegations are



general and omnibus in nature and as far as allegation of setting ablaze the grass cutting mill is alleged, it is submitted that the land belongs to the appellants, as such why the appellants would have burnt the grass cutting mill. It is asserted and submitted that no grass cutting mill was there on the land.

5. Learned Spl. P.P. for the State and the learned counsel appearing on behalf of the informant opposes the appeal, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the appellants that on account of dispute relating to land, the occurrence is alleged to have taken place and the allegation of abuse by taking caste name is general and omnibus in nature and the FIR has not been instituted under the arms act.

6. In view of the submissions made by the learned counsel for the appellants, the order dated 06.12.2024 in A.B.P. No. 384 of 2024 passed by the learned Exclusive Special Judge S.C./S.T. (POA) Act, Gaya in connection with Amas P.S. Case No. 295 of 2024, **is hereby set aside** and the appellants above-named, in the event of their arrest or surrender before the learned Court below 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 Amas P.S. Case No. 295 of 2024 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. Accordingly the appeal stands allowed.

(Satyavrat Verma, J)

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