

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.18 of 2025

Arising Out of PS. Case No.-79 Year-2024 Thana- MAHILA P.S. District- Bhojpur

1. Shobha Kunwar Wife of Ram Bihari Singh Resident of Village - Jagdishpur Budhbal Tola, Ward No. 3, P.S. - Jagdishpur, Distt.- Bhojpur
2. Govind Kumar Son of Ram Bihari Singh Resident of Village - Jagdishpur Budhbal Tola, Ward No. 3, P.S. - Jagdishpur, Distt.- Bhojpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Nisha Devi Wife of Vijay Paswan Resident of Kopwan, P.S.- Koran Saraiyan, Distt.- Buxar

... .. Respondent/s

with
CRIMINAL APPEAL (SJ) No. 393 of 2025

Arising Out of PS. Case No.-79 Year-2024 Thana- MAHILA P.S. District- Bhojpur

Ajay Kumar Singh @ Ajay Kumar Son of Ram Bihari Singh Resident of Jagdishpur Budhbal Tola, Ward No.3, P.S.-Jagdishpur, District- Bhojpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Nisha Devi Wife of Dharmendra Paswan Resident of Kopwan, P.S.-Koran Saraiyan, District-Buxar

... .. Respondent/s

Appearance :
(In CRIMINAL APPEAL (SJ) No. 18 of 2025)
For the Appellant/s : Mr. Navin Kumar Singh, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Special P.P.
For the Informant : Mr. Pranjal Kumar, Advocate
(In CRIMINAL APPEAL (SJ) No. 393 of 2025)
For the Appellant/s : Mr. Madhav Krishna, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Special P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 19-11-2025 Heard learned counsel for the appellants and learned
Special P.P., Mr. Sadanand Paswan for the State and the learned



counsel appearing on behalf of the informant.

2. These appeals are filed 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 02.12.2024 and 16.11.2024 respectively, passed by learned 1st Additional District & Sessions Judge-cum-Special Judge, SC/ST, Bhojpur, Ara in connection with Mahila P.S. Case No.79 of 2024, registered under Sections 64, 352 and 351(2) of B.N.S., 2023 as well as under Sections 3(1)(s), 3(i)(r) and 3(2)v of the SC/ST Act.

Criminal Appeal (SJ) No.393 of 2025

3. Learned counsel appearing on behalf of the appellant after arguing vehemently for sometime realizing his difficulty seeks permission to withdraw Criminal Appeal (SJ) No.393 of 2025 (Ajay Kumar Singh @ Ajay Kumar vs. The State of Bihar & Anr.) with liberty to surrender and seek regular bail.

4. Permission is accorded.

5. Criminal Appeal (SJ) No.393 of 2025 is dismissed as withdrawn.

6. It is made clear that if appellant surrenders and seeks regular bail, the learned District Court shall consider the case on its own merit without being prejudiced by the fact that appellant before this Court withdrew his anticipatory bail application.



Criminal Appeal (SJ) No.18 of 2025

1. The learned counsel appearing on behalf of the appellants submits that appellants are persons with clean antecedent and are mother and brother of Ajay Kumar Singh. It is next submitted that informant alleges that she met Ajay Kumar Singh about seven years back and they started talking, further Ajay brought her to Patna and took a house at Anisabad, further Ajay established physical relation on false promise of marriage and out of the relationship, two children were born, who are aged about 6 years and 3 years, next alleges that when parents and brother of Ajay came to know that informant belongs to SC community they started feeding Ajay with negativity and Ajay also started hitting her, thereafter Ajay started torturing and assaulting and deleted all the photographs from mobile and refused to marry.

4. Learned counsel for the appellants submits that 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 the thrust of allegation is against Ajay but then appellants being mother and brother of Ajay came to be implicated only with a view to coerce Ajay into submission. It is also submitted that Ajay was not staying with the appellants rather was staying at Anisabad on rent. It is also submitted that from perusal of the allegation, as alleged in the FIR,



it would manifest that the allegation against the appellants are general and omnibus in nature.

5. The learned Special P.P. and the learned counsel appearing on behalf of the informant oppose the appeal.

6. Considering the submissions made by learned counsel appearing on behalf of the appellants, let appellants, above named, in the event of their arrest or surrender before the learned Trial Court within a period of six weeks from the date of receipt of the order, 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 in connection with Mahila P.S. Case No.79 of 2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. Accordingly, the impugned order is set aside and Criminal Appeal (SJ) No.18 of 2025 stands allowed.

(Satyavrat Verma, J)

Sanjay/-

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