

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.54 of 2025

Arising Out of PS. Case No.-615 Year-2024 Thana- SIKARPUR District- West Champaran

1. Dharmendra Yadav Son of Late Balister Yadav Resident of Village- Jaymangalapur, P.S.- Shikarpur, Distt.- West Champaran
2. Surendra Yadav Son of Late Balister Yadav Resident of Village- Jaymangalapur, P.S.- Shikarpur, Distt.- West Champaran
3. Amrendra Yadav Son of Late Balister Yadav Resident of Village- Jaymangalapur, P.S.- Shikarpur, Distt.- West Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Sumitra Devi Wife of Mohan Ram Resident of Village- Jaymangalapur Ward No. 10, P.S.- Shikarpur, Distt.- West Champaran

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Brij Kishor Mishra
For the Respondent/s : Ms. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-11-2025 1. Heard learned counsel for the appellants and the learned Special P.P. Ms. Usha Kumari No.1 and the learned counsel appearing on behalf of the informant.

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 10.12.2024 in A.B.P. No. 2859 of 2024 passed by the learned District and Additional Sessions Judge-I, Bettiah, West Champaran in connection with Shikarpur P.S. Case No.615/2024, registered under Sections 126(2), 115(2), 74, 352 and 3(5) of the B.N.S. as well as Sections 3(i)(r), 3 (1)(s) and



3(2)(va) of the SC/ST Act.

3. Learned counsel for the appellants submits that the appellants are persons with clean antecedent and the informant alleges that on 30.08.2024 she had gone to the temple for performing worship when the FIR named accused persons including the appellants came and forbid her from entering the temple and on protest they abused her by taking caste name, on alarm, people came, when the accused persons fled away.

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 same does not even remotely suggest that the occurrence was witnessed by any independent person. It is also submitted that it does not appear probable that all the accused persons in one-go would have abused the informant by taking caste name. It is next submitted that though it is alleged that informant had gone to the temple for performing worship but then the FIR does not even remotely discloses that as to which God's temple the informant had gone to worship. It is also submitted that informant alleges that on alarm the people came and accused fled but then the name of the persons who came in aid of the



informant, their name is also not disclosed. It is thus submitted that all these circumstances amply demonstrates that the appellants have been falsely implicated for ulterior reason.

4. Learned Special Public Prosecutor and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the appellants.

5. Considering the submission of the learned counsel for the appellants, the order impugned is set aside. Let the appellants, above named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.5,000/- (rupees five thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 482(2) of the BNSS.

6. Accordingly, the impugned order is set aside and this appeal stands allowed.

(Satyavrat Verma, J)

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