

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No 246 of 2025**

Arising Out of PS. Case No.-35 Year-2024 Thana- SC/ST District- Siwan

Sonu Kumar S/O Mokhtar Singh Resident Of Village- Dohar, P.S- Rasulpur,
Dist.- Saran (Chapra).

... .. Appellant/s

Versus

1. The State of Bihar
2. Lilawati Devi W/O Manager Baitha R/O Village- Rasulpur Tilauta, P.S-
Pachrukhi, Distt.- Siwan.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ajay Kumar Tiwary
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR JUSTICE RANJAN KUMAR JHA

ORAL ORDER

7 14-07-2026 Heard learned counsel for the appellant and the
learned Special PP.

2 The present appeal is directed against the order dated 26.06.2024 passed by the learned Additional Sessions Judge I -cum- Special Judge, Siwan in Anticipatory Bail Petition No 1396 of 2024 by which the learned Court below has rejected the prayer for anticipatory bail made on his behalf.

3 Allegation in the FIR is to the extent that Respondent No 2 entered into an agreement for sale of land detailed in the FIR with one Devendra Tiwary and when she went to the plot, she came to know that the said Devendra Tiwary has got another sale agreement executed in favour of this



appellant. Thereafter, the FIR further contains that when she approached Devendra Tiwary, she has been threatened, abused by caste name by him and co-accused Munna Tiwary and Vishal Tiwary. As far as the appellant is concerned, there is no allegation of any abuse either simpliciter or by caste name.

4 The learned counsel for the appellant submits that the dispute is purely civil in nature and he is also a victim for the reason if Respondent No 2 has been defrauded then he has also been defrauded by co-accused Devendra Tiwary. He further submits that no act to attract offence under the SC, ST (Prevention of Atrocities) Act is attributed as far as the appellant is concerned for the reasons that even if the FIR would be seen in its entirety, there is no allegation of any abuse by caste name against the appellant.

5 The learned Special PP has opposed the prayer for anticipatory on the ground that the appellant is FIR named accused.

6 Having considered the rival submissions and in the background that there is no allegation of abuse by caste name against the appellant, the order impugned dated 26.06.2024 passed by the learned Additional Sessions Judge I -cum- Special Judge, Siwan in Anticipatory Bail Petition No 1396 of 2024 is



set aside.

7 Let the appellant above named, in the event of his arrest/surrender within a period of four weeks from today, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge I -cum- Special Judge, Siwan in SC/ST Siwan PS Case No 35 of 2024 subject to all conditions as laid down under Section 482 (2) of the BNSS.

8 This appeal is allowed.

(Ranjan Kumar Jha, J)

M.E.H./-

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