

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.364 of 2025

Arising Out of PS. Case No.-287 Year-2024 Thana- CHAUTHAM District- Khagaria

1. Nilam Devi Wife of Parmanand Singh @ Polo Singh Resident of Village - Nawada, P.S. - Chautham, District- Khagaria
2. Amit Kumar Son of Parmanand Singh @ Polo Singh Resident of Village - Nawada, P.S. - Chautham, District- Khagaria
3. Sumit Kumar Son of Parmanand Singh @ Polo Singh Resident of Village - Nawada, P.S. - Chautham, District- Khagaria
4. Parmanand Singh @ Polo Singh Son of Lakkar @ Anuplal Singh Resident of Village - Nawada, P.S. - Chautham, District- Khagaria

... .. Appellant/s

Versus

1. The State of Bihar
2. Brajesh Paswan Son of Late Kameshwar Paswan Resident of Village - Nawada, Ward No.14, P.S. - Chautham, District- Khagaria

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Jai Kishor Poddar, Appellant
For the Respondent/s : Mr. Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 16-03-2026 1. Heard learned counsel for the appellants, learned Special Public Prosecutor for the State and 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 16.12.2024 in Special A.B.P. No. 69 of 2024 passed by the learned 1st Additional Sessions Judge-cum-Special Judge SC/ST, Khagaria in connection with Chautham P.S. Case No.



287 of 2024 (Special SC/ST G.R. No. 110 of 2024) registered under Sections 115(2), 126(2), 303(2), 74, 352, 351(2), 351(3) and 3(5) of the BNS as well as Sections 3(i)(r)(s) of the SC/ST Act.

3. Learned counsel for the appellants submits that appellants are persons with clean antecedent and appellant no. 1 is a woman and the informant alleges that on 16.09.2024 he was coming home by his bike at 06:00 p.m. when he was intercepted by Amit, Sumit, Abhimanu, Parmanand and Nilam Devi who were carrying lathi, danda and garasa. Further, the accused started abusing and on protest Amit and Sumit tried to strangle him by a gamacha and tried to take him inside their house and abused by taking caste name and snatched his chain. On alarm, his mother came to save him but accused assaulted her and threatened. Further, reason for the occurrence is that Amit and Parmanand in lieu of selling 2 Kathas of land had taken Rs.3 lakhs but the sale deed was not executed.

4. Learned counsel for the appellants submits that appellants have been falsely implicated in the instant case by the informant. It is further submitted that even allegation of abuse is general and omnibus in nature. It is next submitted that it does not appear probable that all accused in one go would have



abused the informant by taking caste name. It is also submitted that as far as allegation of trying to strangle the informant is concerned, the same is ornamental. It is further submitted that though it is alleged that mother of the informant was assaulted but then allegation of assault is also not specific. It is next submitted that on account of dispute relating to sale of land, a false case came to be instituted. It is also submitted that appellants have not taken any money from the informant in lieu of selling 2 Kathas of land nor the same is substantiated by any documentary evidence.

5. Learned Special Public Prosecutor and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the appellants but then are not in a position to rebut the submissions of the learned counsel appearing on behalf of the appellants that allegation of abuse and assault is general and omnibus in nature and no documentary evidence has been brought on record to substantiate that any amount was taken by Amit and Parmanand in lieu of selling their 2 Kathas of land to the informant.

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 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 the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S.

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

(Satyavrat Verma, J)

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