

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.292 of 2026

Arising Out of PS. Case No.-623 Year-2025 Thana- SONEPUR District- Saran

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1. Raju Kumar Son of Sri Alakh Singh @ Alaiw Singh Resident of Ward No. 10, Mirzapur, Village- Bharpura, P.S.- Sonepur, District- Saran, Pin Code- 841101, Bihar
 2. Sonu Kumar Son of Sri Alakh Singh @ Alaiw Singh Resident of Ward No. 10, Mirzapur, Village- Bharpura, P.S.- Sonepur, District- Saran, Pin Code- 841101, Bihar
 3. Geeta Devi Wife of Sri Alakh Singh @ Alaiw Singh Resident of Ward No. 10, Mirzapur, Village- Bharpura, P.S.- Sonepur, District- Saran, Pin Code- 841101, Bihar

... .. Appellant/s

Versus

1. The State of Bihar
2. Sarita Devi Wife of Pramod Ram Resident of Village- Bharpura, P.S.- Sonepur, District- Saran, Chhapra, Pin Code- 841101, Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Anand Kumar Tiwari Mr. Aditya Bhardwaj, Adv Ms. Harshita Ranjan, adv
For the Respondent/s	:	Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 06-07-2026 1. Heard learned counsel for the appellants and learned Spl. PP Sadanand Paswan for the State.

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 17.09.2025 in A.B.P. No. 3091 of 2025 passed by the learned Exclusive Special Judge S.C./S.T. (POA) Act, East Chapra, Saran in connection with Sonepur SC/ST P.S. Case No.



623 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 74, 303(2), 109, 352, 351(2) and 3(5) of the BNS, 2023 as well as Sections 3(1)(r), 3(1)(s) of the SC/ST Act.

3. Learned counsel for the appellants submits that from perusal of the office report dated 29.06.2026, it would manifest that notice has been validly received by respondent no. 2 but then it is submitted respondent no. 2 despite receiving notice chooses not to appear and contest. It is next submitted that appellants have antecedent of two cases out of which one case was instituted by side of the informant. It is next submitted that informant alleges that on 25.06.2025 at 3:00 PM, her daughter had gone to pick mangoes when Raju acted inappropriately with her, on alarm, informant went to place of occurrence when she was assaulted, thereafter appellant along with named accused persons came to her house and abused by taking caste name and assaulted her causing injury on hand and leg and also assaulted her husband by bricks causing injury on chest and the injured were taken to the hospital.

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 daughter of the informant



was found plucking mangoes from the orchard of the appellant and others and the same was objected on account of which the instant false case came to be instituted. It is further submitted that from perusal of the allegations as alleged in the FIR, it would manifest that allegation of assault and abuse is general and omnibus in nature. It is further submitted that even presuming that what has been alleged is true without admitting then entire occurrence took place at the house of the informant and thus was not in public view. It is reiterated and submitted that on account of dispute relating to plucking of mangoes, the present false case came to be implicated with general and omnibus allegation. It is thus submitted that this perhaps explain why the informant despite receiving notice chooses not to appear and contest.

5. Learned Special P.P. for the State opposes the appeal.

6. After hearing the learned counsel for the parties and taking into consideration the submissions made by the learned counsel for the appellants, the order dated 17.09.2025 in A.B.P. No. 3091 of 2025, is hereby set aside and the appellants above-named, in the event of their arrest or surrender 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 Sonapur SC/ST P.S. Case No. 623 of 2025 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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