

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.348 of 2026

Arising Out of PS. Case No.-4 Year-2023 Thana- SC/ST District- Madhubani

Vishwanath Thakur S/O Late Narayan Thakur R/O Village - Suratganj, Ward
No.- 15, P.S- Town, Distt.- Madhubani

... .. Appellant/s

Versus

1. The State of Bihar
2. Pramod Kumar Mahto S/O Ganesh Mahto R/O Village - Suratganj, Ward
No.- 14, P.S- Town, Distt.- Madhubani

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ratnakar Jha, Advocate
For the Respondent/s	:	Shri Sadanand Paswan, A.P.P.
For the Informant	:	Mr. Ranajay Kumar, Advocate
		Mr. Bhavesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 06-07-2026 1. Heard learned counsel for the appellant, 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 27.11.2025 in A.B.P. No. 1792 of 2025 passed by
the learned District and Additional Sessions Judge 1st -cum-
Special Judge, Madhubani in connection with SC/ST P.S. Case
No. 04 of 2023 registered under Sections 341, 323, 384, 379,
427, 504, 506 and 34 of the Indian Penal Code as well as
Sections 3(1)(r)(s) and 3(2)(va) of the SC/ST Act.



3. Learned counsel appearing on behalf of the appellant submits that appellant is person with clean antecedent and the informant alleges that his father had purchased land from Sanjay Thakur by registered sale deed dated 09.10.2021, further when he started work on the land, the accused persons including the appellant came and demanded extortion of Rs.50,000/- but the informant refused, thereafter, on 12.01.2023 the accused persons came to his hotel and threatened that without giving extortion he is constructing the house and also abused by taking caste name and Om Prakash put dagger on his temple.

4. Learned counsel for the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is next submitted that appellant and Sanjay Thakur are agnates and are having disputes relating to property for which Title Suit No. 23 of 2017 has been filed which is pending adjudication. It is next submitted that since father of the informant purchased the land in dispute as such it appears that at the behest of the Sanjay the present false case came to be instituted with general and omnibus allegation. It is also submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant does not allege that he



was assaulted or his father was assaulted. It is further submitted that it absolutely does not stand to reason as to why the appellant would have demanded extortion from the informant when he is contesting T.S. No. 23 of 2017. It is thus submitted that an impression has been given as if criminals had come on the land demanding extortion when informant was well aware of the fact that appellant and Sanjay are agnates and they are having dispute relating to land. It is thus submitted that this explains how SC/ST Act, which was framed by the legislature with a laudable object, is being misused by willy litigants.

5. Learned Additional Public Prosecutor for the State and learned counsel appearing on behalf of the informant oppose the prayer for anticipatory bail of the appellant but then are not in a position to rebut the submissions of the learned counsel appearing on behalf of the appellant that appellant and Sanjay are agnates and are having dispute relating to land.

6. Considering the submissions made by the learned counsel appearing on behalf of the appellant, let the appellant, above-named, in the event of his arrest or surrender 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) 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 Cr.P.C./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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