

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.365 of 2026

Arising Out of PS. Case No.-262 Year-2025 Thana- SIRDALA District- Nawada

1. Chunnu Kumar @ Indrajit Kumar S/o Manoj Prasad @ Manoj Mahto R/o village - Lond, P.S. Sirdala, Dist.-Nawada.
2. Munna Kumar @ Manjit Kumar S/o Manoj Prasad R/o village - Lond, P.S. Sirdala, Dist.-Nawada.
3. Suraj Don @ Nawlesh Prasad S/o Manoj Prasad R/o village - Lond, P.S. Sirdala, Dist.-Nawada.

... .. Appellant/s

Versus

1. The State of Bihar
2. Mahendra Rajwanshi S/o Late Latan Rajwanshi R/o village - Taviyo, P.O. Badgaon, P.S. - Sirdala, Dist. - Nawada.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Pramod Kumar Verma, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 27-07-2026 1. Heard learned counsel for the appellants and learned Special Public Prosecutor 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 07.10.2025 in A.B.P. No. 2478 of 2025 passed by the learned Special Judge, SC/ST (POA) Act, Nawada in connection with Sirdala P.S. Case No. 262 of 2025 registered under Sections 191(2), 190, 126(2), 115(2), 118(1), 117(2), 109, 76, 324(4), 303(2) and 352 of the BNS as well as Sections 3(1)



(r)(s) of the SC/ST Act.

3. Learned counsel appearing on behalf of the appellants submits that notice has been validly served on the informant but despite receiving the notice he chooses not to appear and contest. It is further submitted that appellants no. 1 and 3 are persons with clean antecedent and appellant no. 2 has antecedent of one case and the informant alleges that he along with others were returning from Tazia procession when appellants along with 50 unknown accused assaulted Rambilash by lathi causing injury on head. Further, accused persons also assaulted the daughter of the informant by lathi causing fracture of hand and also assaulted his daughter-in-law by lathi and brick causing injury and snatched her jewellery and torn her blouse and abused (not by caste name) and acted inappropriately with women and torn their blouse and also assaulted Satish. Further, the injured were taken to the hospital and thereafter the administration removed Tazia to Rabia village.

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 from perusal of the allegation as alleged in the FIR, it would manifest that allegation of assault and abuse is general and omnibus in nature.



It is next submitted that on account of dispute which had arisen on account of Tazia procession, an altercation had taken place in which both sides assaulted each other.

5. Learned Special Public Prosecutor for the State opposes the prayer for anticipatory bail of the appellants.

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 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 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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