

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.496 of 2026

Arising Out of PS. Case No.-23 Year-2025 Thana- SC/ST District- Gopalganj

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1. Salma Khatun W/o Jalaluddin Gadi @ Jalaluddin Ahmad @ Md. Jalaluddin Resident of village - Gaddi Tola, P.S- Manjhagarh, Distt.- Gopalganj
 2. Jalaluddin Gadi @ Jalaluddin Ahmad @ Md. Jalaluddin S/o Mohammad Kazim Resident of village - Gaddi Tola, P.S- Manjhagarh, Distt.- Gopalganj
 3. Akbari Khatun W/o Late Akber Ali Resident of village - Gaddi Tola, P.S- Manjhagarh, Distt.- Gopalganj
 4. Astab Ali S/o Late Akber Ali Resident of village - Gaddi Tola, P.S- Manjhagarh, Distt.- Gopalganj
 5. Hasina @ Hasina Khatun @ Ziyorani W/o Umda Hasan Resident of village - Gaddi Tola, P.S- Manjhagarh, Distt.- Gopalganj
 6. Sabir Ali @ Sabir Hussain S/o Balmati Gadi Resident of village - Gaddi Tola, P.S- Manjhagarh, Distt.- Gopalganj

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Bindu Devi W/o Harendra Sah Resident of village - Gaddi Tola, P.S- Manjhagarh, Distt.- Gopalganj

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Md Danish Quamar
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 16-07-2026 1. Heard learned counsel for the appellants and
learned Spl. P.P. for the State, Sri Sadanand Paswan.

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 18.12.2025 in A.B.P. No. 2644/2025 passed by the



learned District and Additional Sessions Judge-XI-cum-Special Judge S.C./S.T. (POA) Act, Gopalganj in connection with Gopalganj SC/ST P.S. Case No. 23 of 2025 registered for the offences punishable under Sections 191(2), 190, 126(2), 115(2), 117(2), 76, 305, 308(3), 329(3), 352 and 351(2) of the BNS as well as Sections 3(1)(r)(s)(w) and 3(2)(va) of the SC/ST Act.

3. Learned counsel for the appellants submits from perusal of the office report dated 23-3-2026, it would manifest that registered notice has been validly served upon the respondent No. 2, but then respondent no. 2 despite receiving notice, chooses not to appear and contest.

4. Learned counsel for the appellants submits that appellants are person with clean antecedent and appellant nos. 1, 3 and 5 are women. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that allegation of assault is against Azad and Atikul who assaulted the informant and Nisha respectively by rod and lathi at her home causing fracture of hand and leg. It is further submitted that even presuming what has been alleged is true without admitting then no specific allegation is alleged against the appellants and the entire occurrence took place at the house of the appellants thus was not in public view.



5. Learned Spl. P.P. for the State opposes the prayer for anticipatory bail of the appellants.

6. Considering the aforesaid facts, let 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 the aforesaid case, subject to the conditions as laid down under Section 482 (2) of the BNSS.

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

(Satyavrat Verma, J)

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