

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.438 of 2026

Arising Out of PS. Case No.-110 Year-2024 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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1. Bhola Singh S/O Late Yogendra Singh R/o Vill.- Batlohiya, P.S.- Pandaul, District - Madhubani
 2. Kailash Singh S/O Late Yogendra Singh R/o Vill.- Batlohiya, P.S.- Pandaul, District - Madhubani
 3. Umesh Singh S/O Late Yogendra Singh R/o Vill.- Batlohiya, P.S.- Pandaul, District - Madhubani
 4. Aditya Kumar Singh S/O Bhola Singh R/o Vill.- Batlohiya, P.S.- Pandaul, District - Madhubani
 5. Abhishek Kumar Singh S/O Late Daure Singh R/o Vill.- Batlohiya, P.S.- Pandaul, District - Madhubani
 6. Keshav Kumar Singh S/O Kailash Singh R/o Vill.- Batlohiya, P.S.- Pandaul, District - Madhubani
 7. Aman Kumar Singh S/O Umesh Kumar Singh R/o Vill.- Batlohiya, P.S.- Pandaul, District - Madhubani

... .. Appellant/s

Versus

1. The State of Bihar Patna
2. Sita Devi Ram Vilas Ram R/V- Batlohiya, P.S.- Pandaul, District- Madhubani

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Ashok Kumar Alias Ashok Karn
For the Respondent/s	:	Mr.Binay Krishna, Spl. PP
		Mr. Ratnakar Jha, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 13-07-2026 **1.** Heard learned counsel for the appellants, learned Spl. P.P. for the State, Sri Binay Krishna and the 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 17-12-2025 in A.B.P. No. 2309 of 2025 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Madhubani in connection with C.R Case No. 110 of 2024 registered for the offences punishable under Sections 191(3), 303(2), 76, 109, 126(2), 352, 351(2) and 3(5) of the BNS as well as Sections 3(1)(r)(s) and 3(2)(va) of the SC/ST Act.

3. Learned counsel for the appellants submits that the appellants are persons with clean antecedent and the complainant alleges that she is staying on the land as detailed in the complaint after constructing her house for decades, further land of the appellants is adjacent to her land on which they do agriculture, but the said land belongs to the State of Bihar, further appellants by force are trying to oust her from her land so that they can have direct access to the main road, it is next alleged that on 8-10-2024 the appellants started planting banana tree on her land, on objection accused abused and assaulted her and Aditya tore her clothes and Kailash snatched her chain.

4. Learned counsel for the appellants submits that the appellants have been falsely implicated in the instant case by the



complainant on account of dispute relating to land. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that no specific allegation is alleged against appellant nos. 1, 3, 5, 6 and 7. It is also submitted that even presuming what has been alleged is true without admitting then the entire occurrence took place at the house of the appellants and thus was not in public view and it does not appear probable that all the accused in one go would have abused the informant by taking caste name. It is next submitted that as far as allegation of tearing clothes and snatching chain is alleged, the same is ornamental. It is reiterated and submitted that the allegations are to be appreciated in backdrop of a land dispute as alleged in the complaint.

5. Learned Spl. P.P. for the State and learned counsel appearing on behalf of the complainant opposes the prayer for anticipatory bail of the appellants but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the appellants that there is no specific allegation against appellant nos. 1, 3, 5, 6 and 7 and allegation of abuse is general and omnibus in nature and the entire occurrence took place at the house of the complainant thus was not in public view, but then learned counsel appearing on behalf of the



complainant submits that court has taken cognizance as such a prima facie case is made out.

6. After hearing the learned counsel for the parties, the Court was inclined to grant the privilege of anticipatory bail to the appellants but since cognizance has been taken as such the appeal is disposed of with a direction the appellants to surrender before the learned trial court on 3-08-2026.

7. It is made clear that if appellants surrender on 3-08-2026, in that event, the learned trial court shall consider and dispose of the appeal on the same day keeping in mind the fact that there is no specific allegation against appellant nos. 1, 3, 5, 6 and 7 and also keeping the observations of this court as recorded hereinabove.

8. The appeal stands disposed of.

(Satyavrat Verma, J)

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