

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.551 of 2026

Arising Out of PS. Case No.-26 Year-2025 Thana- SC/ST District- Aurangabad

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1. Parmanand Saw S/o- Late Suryadeo Saw Resident of Village- Lachhu Bigha Tola, Bantara PS- Dev Kund, Dist- Aurangabad
 2. Rajnandan Saw S/o- Late Suryadeo Saw Resident of Village- Lachhu Bigha Tola, Bantara PS- Dev Kund, Dist- Aurangabad
 3. Chandan Saw S/o- Parmanand Saw Resident of Village- Lachhu Bigha Tola, Bantara PS- Dev Kund, Dist- Aurangabad
 4. Abhay Kumar S/o- Rajnandan SAw Resident of Village- Lachhu Bigha Tola, Bantara PS- Dev Kund, Dist- Aurangabad

... .. Appellant/s

Versus

1. The State of Bihar
2. Sudarshan Paswan S/o- Late Rajdeo Paswan R/v- Orani Ps- Devkund Dist- Aurangabad

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Ashok Kumar No.6
For the Respondent/s	:	Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 22-07-2026 1. Heard learned counsel for the appellants, learned Special Public Prosecutor for the State, Mr. Sadanand Paswan 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 10.11.2025 in A.B.P. No. 2350 of 2025 passed by the learned 1st Additional Sessions Judge-cum-Special Judge,



SC/ST Act, Aurangabad in connection with Aurangabad SC/ST P.S. Case No. 26 of 2025 registered under Sections 126(2), 115(2), 352, 351(2), 318(4) and 316(2) of the BNS 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 appellants submits that appellants are persons with clean antecedent and the informant alleges that he paid an amount of Rs. 1,70,000/- to Parmanand and Rs. 1,75,000/- to Rajnandan for purchasing land, but sale deed was not executed, hence the informant along with his son went to the house of the appellants for seeking his money back when the appellants along with their sons assaulted and abused by taking caste name.

4. Learned counsel appearing on behalf of the appellants submits that appellants have been falsely implicated in the instant case by the informant. It is next submitted that appellant nos. 1 and 2 are own brothers and the appellant nos. 3 and 4 are their sons, it is also submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the dispute is with regard to land. It is also submitted that though it is alleged that money was paid to Permanand and Rajnandan but then the FIR does not disclose the mode of payment, it is further submitted that if informant was aggrieved by the fact that



appellant nos. 1 and 2 despite receiving money are not executing the sale deed in that event the informant ought to have moved before a Court of competent civil jurisdiction by filing a money suit for recovering the amount or a suit for specific performance seeking a direction upon the appellant nos. 1 and 2 for executing the sale deed in respect of land in lieu of the money paid but instead of resorting to the procedure envisaged under law, the instant criminal case came to be instituted with an intent to coerce the appellants into submission so that they part with the fanciful demand of the informant, it is next submitted that even occurrence of abuse and assault took place at the house of the informant hence was not in public view.

5. Learned Special Public Prosecutor for the State and learned counsel appearing on behalf of the informant oppose 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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