

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.506 of 2026

Arising Out of PS. Case No.-700 Year-2025 Thana- MOHANIYA District- Kaimur (Bhabua)

1. Bhola Chaubey S/o- Late Hridyanand Chaubey @ Dwarika Chaubey Resident of village- Mujan P.O. Mujan P.S. Mohania, District- Kaimur at Bhabua
 2. Rishi Muni Chaubey S/o- Bhola Chaubey Resident of village- Mujan P.O. Mujan P.S. Mohania, District- Kaimur at Bhabua
 3. Akshaibar Chaubey @ Kshaibar Chaubey S/o- Bhola Chaubey Resident of village- Mujan P.O. Mujan P.S. Mohania, District- Kaimur at Bhabua
- Appellant/s

Versus

1. The State of Bihar
 2. Bhagmani Devi W/o- Ghura Ram R/v- Mujan PS - Mohania Dist- Kaimur at Bhabua
- Respondent/s

Appearance :

For the Appellant/s : Mr. Rajani Kant Pandey, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 20-07-2026 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 28.11.2025 in A.B.P. No. 2237 of 2025 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Kaimur at Bhabua in connection with Mohania P.S. Case No. 700 of 2025 registered under Sections 126(2), 127(2), 115(2), 76, 352, 351(2), 351(3) and 3(5) of the BNS as well as Sections 3(1)(r), 3(1)(w)(i) and 3(2)(va)



of the SC/ST Act.

3. Learned counsel appearing on behalf of the appellants submits that informant despite receiving notice chooses not to appear and contest. It is further submitted that appellants are persons with clean antecedent and the informant alleges that on 09.08.2025, at 07:00 p.m., she had gone to the house of Ramanand for seeking her wages but could not meet him, thus, was returning back home when she met Rishimuni. It is next alleged that despite taking money, Rishimuni and Prayag had not executed the sale deed but Rishimuni said that today he will execute the sale deed but she should talk to his brothers, namely, Prayag and Hriday and to end the dispute, accordingly, she went to his house but named accused persons including the appellants abused and assaulted her but somehow managed to open the door and fled.

4. Learned counsel for the appellants submits that appellants have been falsely implicated in the instant case by the informant on account of dispute relating to land. It is further submitted that it does not appear probable that informant could have fled from the house of the appellants, if the appellants had deliberately called her to their house. It is next submitted that even allegation of abuse and assault is general and omnibus in nature. 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, thus, was not in public view. It is reiterated and submitted that on account of dispute relating to land, false case came to be instituted and this perhaps explains why the informant despite receiving notice chooses not to appear and contest.

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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