

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.586 of 2026**

Arising Out of PS. Case No.-188 Year-2025 Thana- NAUHATTA District- Rohtas

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1. Uma Chandrabanshi @ Uma Shankar Chandrabanshi, S/o Late Nepal Chandrabanshi, R/o Village- Nimahat, P.S- Nauhatta Dist- Rohtas.
 2. Kripa Chandrabanshi @ Kripa Kumar, S/o Bhola Chandrabanshi, R/o Village- Tipa, P.S- Nauhatta, Dist- Rohtas

... .. Appellant/s

Versus

1. The State of Bihar
2. Ganesh Paswan, son of Late Shyamlal Paswan, resident of Village Bhudwa, PS Nauhatta, Dist Rohtas

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rajani Kant Singh, Advocate
For the Respondent/s : Mr. Ajay Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT**

Date : 17-07-2026

Heard learned counsel for the appellants and learned Spl.PP for the State. However, even after valid service of notice, no one has entered appearance on behalf of respondent no.2.

2. This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act against the refusal of prayer for anticipatory bail by order dated 18.11.2025, passed by learned Special Court, SC/ST, Rohtas at Sasaram, in connection with Nauhatta P.S. Case No.188 of 2025, registered u/s 126(2), 115(2), 352, 351(2), 3(5) of BNS and Section 3(i)(r)(s) of the Scheduled Castes and



the Scheduled Tribes (Prevention of Atrocities) Act.

3. As per prosecution case, appellant no.1 abused the informant/respondent no.2 by taking his caste name and instigate the appellant no.2 to assault the respondent no.2. The appellant no. 2 hit the respondent no.2 with fists. While leaving, the appellants also threatened the respondent no.2 that they would kill him.

4. Learned counsel for the appellants submits that the appellants are innocent and have been falsely implicated in this case. The present case is counterblast of Nauhatta P.S. Case No. 189/2025, which has been registered against the informant for demanding extortion money from the appellant no.1. In order to create a defence, the informant had instituted the present case. The whole prosecution story is false and concocted. The appellant no.1 is Mukhiya of gram panchayat Jayantipur and the appellant no.2 is his brother-in-law and they never abused the informant and did not assault the informant. In these circumstances, no offences under any of the provisions of SC/ST Act or BNS are made out against the appellants. The learned counsel further submits that the appellant no. 1 is having antecedents of two cases, whereas appellant no. 2 is having antecedent of one case.



5. Learned Spl.PP for the State opposes the submission made on behalf of the learned counsel for the appellants. The learned Spl.PP submits that there is specific allegation against the appellant no.1 that he abused the informant by taking his caste name and, thereafter, the appellant no.2 assaulted him.

6. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the case and counter case of the parties and further considering the doubtful nature of allegation and possibility of false accusation, let the appellants above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned Special Court, SC/ST, Rohtas at Sasaram/court concerned in connection with Nauhatta P.S. Case No. 188 of 2025, subject to the condition laid down under Section 482(2) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the appellants.
- (ii) The appellants will remain



present on each and every date
fixed by the court below, if so
required by the learned trial
court.

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

(Arun Kumar Jha, J)

V.K.Pandey/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.07.2026
Transmission Date	17.07.2026

