

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.613 of 2026

Arising Out of PS. Case No.-543 Year-2025 Thana- MASAUDHI District- Patna

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1. Vashudev Bind Son of Late Sharan Bind R/O village - Hasanpur, P.S.- Masaurhi, District - Patna (Bihar)
 2. Dharmveer Bind Son of Dhuri Bind R/O village - Hasanpur, P.S.- Masaurhi, District - Patna (Bihar)

... .. Appellants

Versus

1. The State of Bihar
2. Pappu Kumar Son of Ramashish Paswan R/O vill.- Jagpura, P.S.- Masaurhi, Dist.- Patna, Pin Code - 804452

... .. Respondents

Appearance :

For the Appellants	:	Mr. Ram Jiban Pd Singh, Advocate
For the State	:	Mr. Sadanand Paswan, Special PP
For the Respondent no.2	:	Md. Mobassar Ali, Advocate
		Mr. Alok Kumar Alok, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT

Date : 17-07-2026

Heard learned counsel for the appellants, learned counsel for the informant/respondent no.2 as well as learned special PP for the State.

2. The present appeal has been preferred by the appellants under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of their prayer for anticipatory bail by order dated 22.11.2025 passed by learned Exclusive Special Judge, SC/ST (Prevention of Atrocities) Act, Patna in connection with Masaurhi Case No. 543 of 2025 (Special Case No. 485 of 2025)



registered for the alleged offences under Sections 126(2), 352, 351(2) r/w 3(5) of Bharatiya Nyaya Sanhita, 2023 Section 3(1)(r) and 3(1)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. As per the prosecution case, the appellants interrupted the proceeding of the informant, a *Sarpanch*, and also the *Mukhiya* of the Panchayat, who had been discussing the development work, and using abusive castes word threatened the *Mukhiya* with assault. When the informant intervened, he was also threatened with caste abuse.

4. Learned counsel for the appellants submits that the appellants are innocent and have been falsely implicated in this case. It is a completely false and concocted case as it appears from the FIR itself, that no reason or motive has been mentioned why the appellants would abuse and give threat to the *Mukhiya* or the informant. The true fact of the case is that the *Mukhiya* and *Sarpanch* had been indulging in illegal practice while implementing *Nali-Gali* Yojna, which was opposed by the appellants, and in order to silence them, this false case has been lodged. In fact, no case under any of the provisions of SC/ST (Prevention of Atrocities) Act is made out against the appellants. The appellants also belong to extremely



backward class and as they opposed the activities of the informant and the present *Mukhiya*, they have been falsely implicated in this case. The appellants have got not criminal antecedents.

5. Learned Special PP as well as learned counsel for the informant/respondent no. 2 vehemently oppose the submission made on behalf of the appellants. Learned counsel for the respondent no. 2 submits that there is specific allegation against the appellants for abusing the informant and also the *Mukhiya* by taking their caste name and also threatening him.

6. Perused the record.

7. Having regard to the aforesaid facts and circumstances and submissions made on behalf of the parties and considering the improbable nature of the accusation, absence of any material to make out a *prima facie* case under the provisions of the SC/ST (Prevention of Atrocities) Act and the clean antecedent of the appellants, let the appellants above named, in the even 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 learned Exclusive Special



Judge (SC/ST Act), Patna/court concerned in connection with Masaurhi P.S. Case No. 543 of 2025 (Special Case No. 485/2025), subject to the condition laid down under Section 482(2) of BNSS and other following conditions:

- (i) One of the bailors will be the close relative of the appellants.
- (ii) The appellants will remain present on each and every date fixed by the court below.

8. Accordingly, the impugned order dated 22.11.2025 is set aside and the appeal is allowed.

(Arun Kumar Jha, J)

Ashish/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.07.2026
Transmission Date	18.07.2026

