

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.660 of 2025

Arising Out of PS. Case No.-500 Year-2024 Thana- MADHAURAH District- Saran

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1. Sanjay Singh Son of Kashi Nath @ Bharginath Singh Resident of Village -Dhenuki, P.S.- Madhowrah, Distt.- Saran at Chapra
 2. Santosh Singh Son of Kashi Nath @ Briginath Singh Resident of Village -Dhenuki, P.S.- Madhowrah, Distt.- Saran at Chapra

... .. Appellant/s

Versus

1. The State of Bihar
2. Upendra Manjhi Son of Jay Mangal Manjhi Resident of Village -Dhenuki, P.S.- Madhowrah, Distt.- Saran at Chapra

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Vijay Kumar, Advocate
For the Respondent/s : Ms, Usha Kumari 1, Special PP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 04-02-2026 1. Heard learned counsel for the appellants, learned Spl. P.P. for the State 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 23.12.2024 in A.B.P. No. 3781 of 2024 passed by the learned Exclusive Special Judge S.C./S.T. (POA) Act, Chapra, Saran in connection with Madhowrah P.S. Case No.



500 of 2024 registered for the offences punishable under Sections 126(2), 115(2), 352 and 351(2) of the BNS, 2023 as well as Sections 3(1)(r) and 3(1)(s) of the SC/ST Act.

3. Learned counsel for the appellants submits that appellants have antecedent of one case and the informant alleges that appellants in the morning at 08:00 AM were forcefully opening a shop on his land, on information, the informant went to the place of occurrence and objected, on which Sanjay abused by taking caste name and thereafter Santosh also abused by taking caste name and threatened with *Hasua* in hand.

4. Learned counsel for the appellants submits that the appellants have been falsely implicated in the instant case by the informant. It is next submitted that a land dispute is going on in between the parties for which a civil suit is pending in the Court of learned Sub-Judge, Madhowrah. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that on account of dispute relating to land, the appellants have been falsely implicated in the instant case with an allegation that they abused. It is submitted that it does not appear probable that both the appellants would have abused the informant one by one. It is



also submitted that allegation of threat is ornamental.

5. Learned Spl. P.P. for the State as well as learned counsel appearing on behalf of the informant opposes the appeal, but then the learned counsel appearing on behalf of the informant is not in a position to rebut the submission of the learned counsel appearing on behalf of the appellants that a civil suit is pending in between the parties for adjudication in the Court of learned Sub-Judge, Madhowrah.

6. In view of the submissions made by the learned counsel for the appellants, the order dated 23.12.2024 in A.B.P. No. 3781 of 2024 passed by the learned Exclusive Special Judge S.C./S.T. (POA) Act, Chapra, Saran in connection with Madhowrah P.S. Case No. 500 of 2024, **is hereby set aside** and the appellants above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Madhowrah P.S. Case No. 500 of 2024 subject to the conditions as laid down under Section 482 (2) of the BNSS.



7. Accordingly, the appeal stands allowed.

8. Pending application(s), if any, shall stand disposed of.

(Satyavrat Verma, J)

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