

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.668 of 2026

Arising Out of PS. Case No.-16 Year-2024 Thana- SC/ST District- Siwan

Kunni Sahani @ Nand Kumar @ Nand Kumar Sahanni S/o Baban Kumar
Sahani @ Baban Sahani Resident of Village- Darauli Tole Melhani, P.S.-
Darauli, District- Siwan

... Appellant/s

Versus

1. The State of Bihar
2. Hareram Ram S/o Late Keshwar Ram Resident of Village- Darauli Tole Melhani, P.S.- Darauli, District- Siwan

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ajay Kumar Pandey, Advocate
For the Respondent/s : Mr. Binay Krishna, Special PP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 27-07-2026 1. Heard learned counsel for the appellant and
learned Special P.P. for the State, Mr. Binay Krishna.

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 22.12.2025 in A.B.P. No. 3469 of 2025 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Siwan in connection with Siwan SC/ST P.S. Case No. 16 of 2024 registered for the offences punishable under Sections 341, 323, 307, 504 and 506 of the Indian Penal Code as well as Sections 3(1)(r)(s) of the SC/ST Act.



3. Learned counsel for the appellant submits that from perusal of the office report dated 29.06.2026, it would manifest that notice has been validly served on the informant, but then informant despite receiving notice chooses not to appear and contest.

4. It is next submitted that appellant has antecedent of one case under the Excise Act and the informant alleges that on 01.01.2024 appellant tried to enter his land by tractor, on objection, appellant left, thereafter at 04:00 PM appellant abused him by caste name, on objection, appellant assaulted by bamboo and also assaulted his daughter by bamboo causing injury on head.

5. Learned counsel for the appellant submits that appellant has been falsely implicated in the instant case by the informant on account of dispute relating to land. It is next submitted that the date of occurrence 01.01.2024 and the FIR came to be instituted on 01.03.2024 i.e. after a delay of two months, which casts an aspersion on the case of the prosecution.

6. Learned Special P.P. for the State opposes the appeal.

7. In view of the submissions made by the learned counsel for the appellant, the order dated 22.12.2025 in A.B.P.



No. 3469 of 2025, **is hereby set aside** and the appellant above-named, in the event of his arrest or surrender 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 Siwan SC/ST P.S. Case No. 16 of 2024 subject to the conditions as laid down under Section 482 (2) of the BNSS.

8. Accordingly, the appeal stands allowed.

(Satyavrat Verma, J)

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