

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.725 of 2026

Arising Out of PS. Case No.-636 Year-2024 Thana- BARHARIA District- Siwan

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1. Santosh Singh S/o Nagina Singh R/o Village - Sundarpur, P.S - Barhariya, District - Siwan
 2. Arjun Kumar Singh @ Arjun Singh S/o Shambhu Singh R/o Village - Sundarpur, P.S - Barhariya, District - Siwan

... .. Appellant/s

Versus

1. The State of Bihar
2. Raghunath Ram S/o Late Faujdar Ram R/o Village - Sundarpur, P.S - Barhariya, District - Siwan

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ajay Kumar Pandey
For the Respondent/s : Ms. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 28-07-2026 1. Heard learned counsel for the appellants and learned Special Public Prosecutor for the State, Ms. Usha Kumari No. 1.

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 30.01.2026 in A.B.P. No. 19 of 2026 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST (POA) Act, Siwan in connection with Barhariya P.S. Case No. 636 of 2024 registered under Sections 126(2), 115(2), 74,



324(4), 303(2), 326(g), 352, 351(2) and 3(5) of the BNS as well as Sections 3(1)(r)(s)(w) and 3(2)(va) of the SC/ST Act.

3. Learned counsel appearing on behalf of the appellants submits that appellants are persons with clean antecedent and the informant alleges that on 27.12.2024 at 8:00 A.M. named accused persons including the appellants came along with 6-8 unknown accused and started abusing by taking caste name and put the house on fire on account of which two goats, money and jewellery were burnt to ashes and Shailesh along with Raj Kumar acted inappropriately with his wife.

4. Learned counsel for the appellants submits that appellants have been falsely implicated in the instant case by the informant. It is further submitted that for the same occurrence a counter case has been instituted by the side of the appellants, it is also submitted that no injury has been sustained by the informant or his family members, it is next submitted that even allegation of abuse is general and omnibus in nature, it is further submitted that Raj Kumar Singh along with five others had approached this Court seeking anticipatory bail by filing Criminal Appeal (SJ) No. 4282 of 2025 and the same came to be allowed by an order dated 23.02.2026 passed by a learned Coordinate Bench, it is also submitted that case of the appellants



is akin to the case of Raj Kumar Singh and others, thus based on parity seeks anticipatory bail, it is next submitted that this perhaps explains why 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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