

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.806 of 2026

Arising Out of PS. Case No.-569 Year-2025 Thana- SULTANGANJ District- Bhagalpur

1. Deepak Kumar @ Deepak Thakur S/o Late Gaya Thakur @ Gaya Prasad Thakur R/o Village - Nai Tola, P.S. - Sultanganj, District - Bhagalpur
2. Rinku Kumar @ Rinku Thakur S/o Late Gaya Thakur @ Gaya Prasad Thakur R/o Village - Nai Tola, P.S. - Sultanganj, District - Bhagalpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Amit Ranjan S/o Ghanshyam das R/o Village - Nayagaon Kabristan Road, P.S - East Colony, District - Munger

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Davendra Kumar Pandey
For the Respondent/s	:	Mr.Binay Krishna, Spl. PP
		Mr. Kamal Kishore Singh, Adv
		Mr. Raj Kumar Vikram, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-05-2026 1. Heard learned counsel for the appellants, learned Spl. P.P. for the State, Sri Binay Krishna 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 7-2-2026 in A.B.P. No. 182 of 2026 passed by the learned District and Additional Sessions Judge III-cum-Special Judge S.C./S.T. (POA) Act, Bhagalpur in connection with



Sultanganj P.S. Case No. 569 of 2025 registered for the offences punishable under Sections 318(4), 61(2), 351(3), 352, 334, 329(1) and 3(5) of the BNS as well as Sections 3(1)(f), 3(1)(r) (s) of the SC/ST Act.

3. Learned counsel for the appellants submits that appellants are persons with clean antecedent and the informant alleges that jamabandi of the land in dispute is in the name of his grand-father and grand-mother, further his grand-father and grand-mother died in the year 2000 and 1996 respectively, further after their death, the family verbally rented the shop in the house to one Gaya Thakur, it is next alleged that informant on account of earning his living was living at Sultanganj for many years and in December 2024 he came to know that Gaya Thakur and his sons, namely, Deepak and Rinku, by resorting to forgery have forged the signature of his grand-father and given the house on rent to two powerful people, namely, Dewalo Modi and Kamran without seeking permission of the informant and his family, further his uncle's son, namely, Akash and other relatives went to the shop on 16-3-2025 at around 12:30 pm and requested Gaya Thakur, his sons, Dewalo Modi and Kamran to vacate the premises when they got angry and said that Bajrang Das had given the house in the year 1999 based on an agreement



on which they said that their grand-father had never signed any agreement with anyone and the premises must be vacated within a period of three months, when Gaya Thakur and his sons started abusing by taking caste name.

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 from perusal of the allegations as alleged in the FIR, it would manifest that the dispute is civil to which a criminal colour has been given. It is further submitted that Gaya Thakur had instituted a Title Suit No. 59 of 2024 on 19-7-2024 against father of the informant and others claiming his right over the property. It is also submitted that informant instead of pursuing the title suit has instituted the instant FIR with an intent to coerce the appellants into submission so that they vacate the premises. It is next submitted that in the event if the title suit is decided in favour of the appellants' side, whether it would be prudent for this Court to send the appellants to jail at this stage. It is further submitted that no doubt allegation is of abusing by taking caste name but then allegation is ornamental on account of dispute which is existing in between the parties.

5. Learned Spl. P.P. for the State and learned counsel



appearing on behalf of the informant opposes the prayer for anticipatory bail of the appellants but then 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 Gaya Thakur had instituted Title Suit No. 59 of 2024 against the father of the informant.

6. Considering the aforesaid facts, let the appellants above-named, in the event of their 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) each 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 the aforesaid case, subject to the conditions as laid down under Section 482 (2) of the BNSS.

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

(Satyavrat Verma, J)

Sumit/-

U		T	
---	--	---	--

