IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1201 of 2025
CNR No. BRHC010272412025

Arising Out of PS. Case No.-286 Year-2024 Thana- PAKRIDAYAL District- East Champaran

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1. Rohan Singh S/o- Viresha Singh @ Virasha Singh alias @ Brij Kishore Singh Village- Sishani PS-Pakaridayal, Dist- East Champaran
2. Raman Singh S/o- Viresha Singh @ Virasha Singh @ Brij Kishor Singh Village- Sishani PS-Pakaridayal, Dist- East Champaran
3. Sujeet Singh S/o- Arvind Singh Village- Sishani PS-Pakaridayal, Dist- East Champaran
4. Ankit Singh S/o- Arvind Singh Village- Sishani PS-Pakaridayal, Dist- East Champaran

... ... Appellant/s

Versus

1. The State of Bihar
2. Sonu Kumar Ranjan S/o- Chandra Bhushan Paswan Village- Sishani Ps-Pakaridayal Dist- East Champaran

... ... Respondent/s

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Appearance :
For the Appellant/s : Ms. Kumari Chandna, Advocate
For the Respondent/s : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

7 27-10-2026 1. Heard learned counsel for the appellants and the learned APP for the State, Mr. Chandra Bhushan Prasad.

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 30.01.2025 passed by the learned Special Judge, S.C./S.T. Act, East Champaran, Motihari in connection with Pakaridayal P.S. Case No. 286 of 2024 registered for the offences punishable under Sections 126(2), 115(2), 117(2), 118(2), 352, 351(3) and 3(5) BNS, 2023 read with Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the

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SC/ST Act.

3. Learned counsel appearing on behalf of the appellants submits that from perusal of the office report, it would manifest that the notice on behalf of the informant has been received by his wife, it is thus submitted that notice is validly served, the Court is in complete concurrence with the submissions made by the learned counsel appearing on behalf of the appellants.

4. It is next submitted that appellants are persons with clean antecedent and the informant alleges that on 10.11.2024 at 07:00 PM, he had come to the market, when 10 named accused persons including the appellants abused him by taking caste name and spat on his body and Sujeet assaulted by butt of pistol causing injury on head and threatened.

5. The learned counsel appearing on behalf of the appellants submits that appellants have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that allegation of abuse and spitting is general and omnibus in nature. It is next submitted that no doubt it is alleged that Sujeet assaulted by butt of pistol causing injury on head, but then from perusal of the FIR, it would manifest that the FIR has not been instituted under the Arms Act. It is further submitted that this perhaps explains why informant despite receiving notice chooses

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not to appear and contest.

6. Learned APP for the State opposes the appeal.

7. In view of the submissions made by the learned counsel for the appellants, the order dated 30.01.2025 passed by the learned Special Judge, S.C./S.T. Act, East Champaran, Motihari in connection with Pakaridayal P.S. Case No. 286 of 2024, **is hereby set aside** and 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 Pakaridayal P.S. Case No. 286 of 2024 subject to the conditions as laid down under Section 482 (2) of the BNSS.

8. Accordingly, the appeal stands allowed.

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

(Satyavrat Verma, J)

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