

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1329 of 2025

Arising Out of PS. Case No.-185 Year-2023 Thana- KARJA District- Muzaffarpur

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1. Ravindra Kumar Mahto @ Ravindra S/o Jitu Mahto R/o vill - Borwara, P.O.- Bhatauna, P.S.- Karza, Distt.- Muzaffarpur
 2. Naresh Kumar Mahto @ Naresh Mahto S/o Ramyug Mahto R/o vill - Borwara, P.O.- Bhatauna, P.S.- Karza, Distt.- Muzaffarpur
 3. Shyama Nand @ Shyama Nand Mahto S/o Asarfi Mahto R/o vill - Borwara, P.O.- Bhatauna, P.S.- Karza, Distt.- Muzaffarpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Shanti Devi W/o Jiyalal Paswan R/o vill - Borwara, P.S.- Karza, Distt.- Muzaffarpur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Pramod Kumar, Advocate
For the Respondent/s : Mr.Sadanand Paswan, Special PP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 23-07-2026 1. Heard learned counsel for the appellants and learned Special P.P. for the State, Mr. Sadanand Paswan and no one appears 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 15.02.2025 in A.B.P. No. 4202 of 2024 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Muzaffarpur in connection with Karja P.S. Case No. 185 of 2023 registered for the offences punishable



under Sections 147, 148, 149, 341, 323, 325, 307, 379 and 506 of the Indian Penal Code as well as Sections 3(i)(r)(s) of the SC/ST Act.

3. Learned counsel appearing on behalf of the appellants submits that appellant Nos. 1 and 3 have antecedent of one and appellant No. 2 has antecedent of two cases and the informant alleges that on 04.06.2023 at 08:00 PM Anil called her son (Vishal) near a temple, further when she reached the place of occurrence, she saw many accused persons standing there, further on account of previous dispute, Karan assaulted her by an iron rod causing injury on head, thereafter, Ravindra assaulted by *lathi* causing injury in ear, further Kshitij assaulted Shyamji by rod damaging his eyes, next alleges that Raushan, Vinay, Naresh, Vimal and Shyama Nand assaulted Sanjeet by rod causing injury on head, further Mintu and Ajay assaulted Nishant by rod and *lathi* causing injury on head and Naresh snatched Rs. 5,000/- from Nishant.

4. Learned counsel for the appellants submits that appellants have been falsely implicated in the instant case by the informant, it is next submitted that earlier Karja PS Case No. 133 of 2023 dated 12.04.2023 was instituted by Sanjay alleging that his daughter was kidnapped by Satnam on 09.02.2023, it is



further submitted that after the daughter of Sanjay was kidnapped by Satnam, thereafter, a dispute arose in between the side of the informant and along with Sanjay though appellants are not related to Sanjay. It is next submitted that from side of the appellants Karja P.S. Case No.184 of 2023 dated 05.06.2023 came to be instituted against the informant and her side, as such, the instant FIR is a counter-blast, it is further submitted that after the instant FIR came to be instituted, again from the side of the appellants Karja P.S. Case No. 201 of 2023 dated 17.06.2023 was instituted against the informant and her side and thereafter, Karja P.S. Case No. 268 of 2023 dated 08.08.2023 was also instituted against the informant and her side, it is thus submitted that after Karja P.S. Case No. 133 of 2023 came to be instituted, thereafter spate of litigation started. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that no allegation of abuse is alleged, it is also submitted that even the injury suffered by the injured has been opined to be simple in nature which amply demonstrates that on account of earlier dispute an altercation took place in which both sides assaulted each other, it is next submitted that Karan is alleged to have assaulted the informant by an iron rod causing injury on head and thereafter, Ravindra assaulted the



informant by *lathi* causing injury in ear, but then informant suffered no injury, as such, final form came to be submitted in favour of Karan exonerating him of the allegation.

5. Learned Special P.P. for the State opposes the appeal, but then is not in a position to rebut the submissions of the learned counsel appearing on behalf of the appellants that earlier more than three cases were instituted from the side of the appellants against the informant and his side.

6. In view of the submissions made by the learned counsel for the appellants, the order dated 15.02.2025 **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 Karja P.S. Case No. 185 of 2023 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. Accordingly, the appeal stands allowed.

(Satyavrat Verma, J)

Nitesh/-

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