

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1471 of 2026

Arising Out of PS. Case No.-410 Year-2025 Thana- Sahayak Khajanchi District- Purnia

1. Md. Munazir Alam @ Md Munajir Son of Shekh Mazid @ shek Mazid R/o Village -Sajjad Nagar, Madhepura, Ward No 42, P S- Sahayak District -Purnea
2. Md. Farukh son of Atabul @ Md. Atabul R/o Village -Sajjad Nagar, Madhepura, Ward No 42, P S- Sahayak District -Purnea
3. Md. Jalaluddin Son of Sakruddin R/o Village -Sajjad Nagar, Madhepura, Ward No 42, P S- Sahayak District -Purnea
4. Mister @ Abdur Rahman Son of Atabul @ Md. Atabul R/o Village -Sajjad Nagar, Madhepura, Ward No 42, P S- Sahayak District -Purnea
5. Hazi nayeem Son of Hanif R/o Village -Sajjad Nagar, Madhepura, Ward No 42, P S- Sahayak District -Purnea

... .. Appellant/s

Versus

1. The State of Bihar
2. Md. Marghub Alam son of Late Wasi Ahmad R/o Village - Line Bazar Ward no. 29, Ps- Sahayak, Khazanchi, Dist- Purnea

... .. Respondent/s

Appearance :

For the Appellants	:	Mr. Harsh Singh, Advocate Mr. Abhijeet, Advocate
For the State	:	Mr. Sadanand Paswan, Spl.PP
For the Informant	:	Dr. Bidhu Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-06-2026 Heard learned counsel appearing for the appellants, learned Special Public Prosecutor appearing for the respondent-State and learned counsel appearing for the informant/Respondent No. 2.

2. This appeal has been filed for setting aside order dated 19.03.2026 passed in a case registered for the offence punishable under Sections 189(2), 189(4), 191(2), 115(2),



324(4), 308(2), 303(2), 352 and 351(2) of the B.N.S., Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and Section 27 of the Arms Act, whereby the prayer for grant of anticipatory bail of these appellants has been rejected.

3. The prosecution case, in brief, is that on 06.12.2025, all the F.I.R. named accused persons, including this appellant and some unknown persons, came armed with weapons and started demanding extortion of Rs. 6,00,000/- and on protest, all of them abused informant and others with caste based slurs and assaulted them.

4. It is submitted by learned counsel appearing on behalf of the appellants that appellants are quite innocent and have committed no offence. As a matter of fact, on account of admitted land dispute between the parties, this false and concocted case has been lodged. Allegation of assault is general and omnibus and no specific accusation of overt act has been alleged against these appellants. It is further submitted that informant does not belong to S.C./S.T. community and as such, no case under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is made out against these appellants.



5. Learned Spl. P.P. appearing for the respondent-State and learned counsel appearing for the informant/Respondent No. 2 have vehemently opposed the prayer for grant of bail to the appellants.

6. Considering the facts and circumstances of the case and general and omnibus nature of accusation, this appeal is allowed and the impugned order dated 19.03.2026 passed by the learned District and Additional Sessions Judge-I-cum-Special Judge, SC/ST (POA) Act, Purnea in connection with A.B.P. No. 16 of 2026 arising out of Sahayak Khazanchi P.S. Case No. 410 of 2025 is hereby set aside with respect to these appellants only.

7. Accordingly, let the appellants, named above, in the event of arrest/surrender within a period of eight weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-I-cum-Special Judge, SC/ST (POA) Act, Purnea in connection with Sahayak Khazanchi P.S. Case No. 410 of 2025.

(Prabhat Kumar Singh, J)

shashank/-

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

