

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.1704 of 2025**

Arising Out of PS. Case No.-3 Year-2025 Thana- SC/ST District- East Champaran

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1. Ramvrit Sahani @ Rampreet Sahani son of Late Methur Sahani Village- Gulariya, Po- Lakhnaura, Ps- Motihari Muffasil, Dist- East Champaran
  2. Lalan Sahani son of Lal Bahadur Sahani @ Lalbabu Sahani Village- Gulariya, Po- Lakhnaura, Ps- Motihari Muffasil, Dist- East Champaran
  3. Ramesh Sahani son of Lal Bahadur Sahani @ Lalbabu Sahani Village- Gulariya, Po- Lakhnaura, Ps- Motihari Muffasil, Dist- East Champaran
  4. Dharmendra Sahani @ Dharmendra kumar son of Lal Bahadur Sahani @ Lalbabu Sahani Village- Gulariya, Po- Lakhnaura, Ps- Motihari Muffasil, Dist- East Champaran
  5. Tulsi Sahani Son of Lal Bahadur Sahani @ Lalbabu Sahani Village- Gulariya, Po- Lakhnaura, Ps- Motihari Muffasil, Dist- East Champaran
  6. Lal Bahadur Sahani @ Lalbabu Sahani Son of Late Methur Sahani Village- Gulariya, Po- Lakhnaura, Ps- Motihari Muffasil, Dist- East Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Ramagya Ram Son of Dhodha Ram @ Dhora Ram Village- Gulariya, Po- Lakhnaura, Ps- Motihari Muffasil, Dist- East Champaran

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Mohd Rustam Hussain, Advocate  
For the Respondent/s : Ms. Usha Kumari 1, Special PP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

4      22-06-2026                      1. Heard learned counsel for the appellants and  
learned Special P.P. for the State, Ms. Usha Kumari 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 06.03.2025 in A.B.P. No. 455 of 2025 passed by the



Sri Dushyant Kumar, designated Special Judge S.C./S.T. (POA) Act, East Champaran Motihari in connection with Motihari SC/ST P.S. Case No. 03 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 303(2), 352, 351(2) and 3(5) of the Bhartiya Nayaya Sanhita and Sections 3(1)(r) and 3(1)(s) of the SC/ST (POA) Act.

3. Learned counsel appearing on behalf of the appellants submits that from perusal of the office report dated 10.11.2025, it would manifest that the same records respondent No. 2 being aware of and having taken notice declined to put the signature on ordinary notice and the registered notice has been received by the wife of the respondent No. 2.

4. In view of the office report dated 10.11.2025, the notice is deemed to be validly served.

5. Learned counsel appearing on behalf of the appellant submits that appellants have antecedent of one case, it is next submitted that informant alleges that on 09.12.2024 at 08:00 AM, the accused persons, namely, Lal Bahadar, Ramvrit, Lalan, Ramesh, Dharmendra, Tulsi and Tulsi were opening the window and door forcibly on the land of the informant and when the informant objected, all the accused persons abused him by taking caste name and even assaulted him and Tulsi



snatched Rs. 2,000/- from his pocket, on alarm villages came and rescued him and the accused threatened to kill him.

6. 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 this perhaps explains why the respondent No. 2 despite receiving the notice chooses not to appear and contest, it is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that on account of dispute relating to opening of window and door, the occurrence is alleged to have taken place. It is also submitted that though allegation of abuse and assault is alleged, but then the same is general and omnibus in nature and the occurrence did not take place in public view.

7. Learned Special P.P. for the State opposes the appeal.

8. In view of the submissions made by the learned counsel for the appellants, order dated 06.03.2025 in A.B.P. No. 455 of 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 Motihari SC/ST P.S. Case No. 03 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

9. Accordingly, the appeal stands allowed.

(Satyavrat Verma, J)

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