

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1871 of 2025

Arising Out of PS. Case No.-92 Year-2024 Thana- SC/ST District- Madhubani

1. Raju Mandal, S/o Shatrudhan Mandal @ Shatrughan Mandal Resident of Village- Chapriya Singhaso, P.S.- Bisfi, District- Madhubani
2. Rahul Mandal S/o Shatrudhan Mandal @ Shatrughan Mandal Resident of Village- Chapriya Singhaso, P.S.- Bisfi, District- Madhubani
3. Rajan Mandal S/o Shatrudhan Mandal @ Shatrughan Mandal Resident of Village- Chapriya Singhaso, P.S.- Bisfi, District- Madhubani
4. Shatrudhan Mandal @ Shatrughan Mandal S/o Late Choudhary Mandal Resident of Village- Chapriya Singhaso, P.S.- Bisfi, District- Madhubani
5. Munni Devi W/o Shatrudhan Mandal @ Shatrughan Mandal Resident of Village- Chapriya Singhaso, P.S.- Bisfi, District- Madhubani
6. Rubi Devi D/o Shatrudhan Mandal @ Shatrughan Mandal Resident of Village- Chapriya Singhaso, P.S.- Bisfi, District- Madhubani
7. Radha Devi D/o Shatrudhan Mandal @ Shatrughan Mandal Resident of Village- Chapriya Singhaso, P.S.- Bisfi, District- Madhubani
8. Dilip Mandal S/o Rudal Mandal Resident of Village- Chapriya Singhaso, P.S.- Bisfi, District- Madhubani
9. Rohit Mandal S/o Shatrudhan Mandal @ Shatrughan Mandal Resident of Village- Chapriya Singhaso, P.S.- Bisfi, District- Madhubani
10. Kanchal Devi @ Kanchan Devi @ Kanchan Kumari W/o Rohit Mandal Resident of Village- Chapriya Singhaso, P.S.- Bisfi, District- Madhubani

... .. Appellant/s

Versus

1. The State of Bihar
2. Vibha Devi W/o Kishor Kumar Ram Resident of Village- Chapriya Singhaso, P.S.- Bisfi, District- Madhubani

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Shailendra Kumar Jha, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl.P.P.
For the Informant	:	Mr. Gagan Deo Yadav, Advocate
		Mr. Vinod Kumar, Advocate
		Mr. Udeshya Kumar Yadav, Advocate
		Mr. Ravi Prakash, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 01-04-2026 Heard learned counsel for the appellants, learned



Special Public Prosecutor for the State and learned counsel for 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 18.03.2025 in A.B.P. No. 396 of 2025 passed by the learned Additional Sessions Judge-I-cum-Special Judge SC/ST (POA) Act, Madhubani, in connection with G.R. No. 189 of 2024 arising out of Madhubani SC/ST P.S. Case No. 92 of 2024 registered under Sections 191(2), 191(3), 124, 115(2), 318, 109,76, 303(2), 352 351(2), 329(4) of the B.N.S. as well as Sections 3(i)(r)(s)(w)(i), 3(2) (va) of the SC/ST Act.

3. Learned counsel appearing on behalf of the appellants seeks permission to withdraw the appeal with respect to appellant no. 1 who was arrested during the pendency of the instant appeal.

4. Permission is accorded.

5. Learned counsel for the appellants submits that appellant no. 2, 4, 5 and 9 have antecedent of one case and appellant nos. 3, 6, 7, 8 and 10 are persons with clean antecedent and appellant nos. 5, 6, 7 and 10 are women and the



informant alleges that on 10.11.2024 at around 10.00 am, the appellants including the accused persons came and abused the informant and her daughter by using caste name on account of a dispute relating to a previous case instituted by the sister-in-law of the informant namely Geeta. It is further alleged that appellants tore informant clothes and assaulted her on her arms with *tengari*. It is next alleged that Rahul Mandal dashed Ranjeeta on the ground and sat on her chest and assaulted her by knife causing injury on head, thereafter, other accused joined and assaulted other family members and snatched mobile phone of Ranjeeta and informant's *mangalsutra*.

6. The learned counsel for the appellants submits that as far as allegation of assaulting Ranjeeta by knife is alleged the same is falsified by the injury report which records the injury of Ranjeeta to be simple in nature caused by hard and blunt substance as pleaded at para 18 of the appeal. It is also submitted that even informant suffered simple injury. It is next submitted that specific allegation of assault is against Raju Mandal who was arrested. It is further submitted that as far as other appellants are concerned the allegation against them of assault and abuse is general and omnibus in nature. It is further submitted that it does not appear probable that all the accused in



one go would have abused the informant by taking caste name. It is next submitted that even female members of the family have been implicated. It is further submitted that since allegation of assault and abuse against the appellants is not specific and the occurrence is alleged to have taken place at the house of the informant. Hence, the occurrence was not committed in public view nor the FIR even remotely suggests that the occurrence was witnessed by any independent witnesses.

7. Learned Special Public Prosecutor for the State as well as learned counsel for the informant opposed but then are not in a position to rebut the submission of the learned counsel for the appellants that Raju Mandal has been taken in custody and as far as other appellants are concerned, the allegation of abuse and assault is general and omnibus in nature against them and the entire occurrence took place at the house of the informant.

8. Considering the submissions, let the appellant nos. 2 to 10, above named, in the event of their arrest or surrender within a period of six weeks from the date of receipt of the order, 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 in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

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

(Satyavrat Verma, J)

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