IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2267 of 2026

CNR No. BRHC010581362026

Arising Out of PS. Case No.-46 Year-2026 Thana- BADDI District- Rohtas

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Mohan Bind @ Mohan Prasad Bind S/o Late Khedaru Bind R/o Village - Khardihan, P.O. - Chhotaki Chenari, P.S. - Baddi, Dist. - Rohtas.

... ... Appellant/s

Versus

1. The State of Bihar
2. Murari Paswan Son of Late Hanuman Paswan R/o Village - Khardihan, P.O. - Chhotaki Chenari, P.S. - Baddi, Dist. - Rohtas.

... ... Respondent/s

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Appearance :
For the Appellant/s : Mr. Babu Nandan Prasad
For the Respondent/s : Mr. Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

4 27-10-2026 1. Heard learned counsel for the appellant and learned A.P.P. for the State, Mr. Rabindra Kumar. 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 21.05.2026 passed by the learned Exclusive-Special Judge, SC/ST (POA) Act, Rohtas at Sasaram in connection with Baddi P.S. Case No. 46 of 2026 registered under Sections 326(f), 3(5) of the BNS and Section 27 of the Arms Act as well as Sections 3(i)(r)(s) and 3(2)(iii) of the SC/ST Act.

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3. Learned counsel appearing on behalf of the appellant submits that appellant has antecedent of one case and the informant alleges that on 01.03.2026 at about 8:00 P.M., he was near Khet Khalyan Vanaspati Maa when five unknown accused with their face masked came holding pistol in their hands, hence the informant started watching them secretly, it is next alleged that all the accused persons went near his threshing floor and set on fire about 50 bundles of mustard and in the flame one of the accused's mask slipped and the informant recognized him as appellant and the appellant also abused by taking caste name.

4. Learned counsel for the appellant submits that appellant has 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 the same does not inspire confidence for the reason that date of occurrence is 01.03.2026 and the informant alleges that he identified one of the accused as the appellant but the FIR came to be instituted on 05.03.2026 i.e. after a delay of four days which casts an aspersion on the case of the prosecution, it is further submitted that goat of the informant was grazing in the field of the appellant on account of which an altercation had

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taken place earlier as such the instant false case came to be instituted, it is also submitted that during the course of investigation nothing was recovered from the place of occurrence to even remotely suggest that 50 bundles of mustard was set ablaze.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the appellant.

6. Considering the submissions made by the learned counsel appearing on behalf of the appellant, let the appellant, above-named, in the event of his 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) 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.

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

(Satyavrat Verma, J)

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