

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2561 of 2025

Arising Out of PS. Case No.-50 Year-2024 Thana- SC/ST District- Sheikhpura

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1. Dhermshila Devi @ Dharmshila Devi W/O Pankaj Singh Resident of Village- Rampur Sinday, P.S- Mission (Barbigaha), District- Sheikhpura.
 2. Dipak Kumar @ Chhova S/O Pankaj Singh Resident of Village- Rampur Sinday, P.S- Mission (Barbigaha), District- Sheikhpura.
 3. Uday Singh S/O Vindhya Singh Resident of Village- Rampur Sinday, P.S- Mission (Barbigaha), District- Sheikhpura.

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Lailun Devi @ Lalilon Devi W/O Suraj Paswan R/O Village- Rampur Sinday, P.S- Mission (Barbigaha), Distt.- Sheikhpura.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rajnish Kumar

For the Respondent/state: None

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 16-04-2026 1. Heard the parties.

2. This memo of appeal is directed against the order dated 04.03.2025 passed in A.B.P. No. 76 of 2025 arising out of Sheikhpura SC/ST P.S. Case No. 50 of 2024 dated 26.12.2024 registered for the offence punishable under Section 126, 115,(2) 76, 352, 351, 3(5) of Bharatiya Nyaya Sanhita, 2023 and Section 3(i)(r)(s), 3(2) (va) of the SC/ST Act by the court of learned District & Addl. Sessions Judge-1st -cum-Special Judge, SC/ST Act, Sheikhpura whereby and where under the learned Special Judge has rejected the anticipatory bail application of



the appellants.

3. As per the F.I.R. on 22.12.2024 at about 4:00 O' Clock when the informant was filling soil upon her land, the appellants arrived there, abused the informant by her caste name and told that they would not allow her to settle on that land. It has further been alleged that when the sister-in-law (gotani) of the informant intervened then Dipak Kumar @ Chhova (appellant no. 2) pushed her and Uday Singh (appellant no. 3) torn the blouse of the informant and gave iron rod blow on her foot.

4. Learned counsel for the appellants submits that appellants have falsely been implicated in this case due to land dispute. A piece of land belonging to the appellants having Khata No. 227, Plot No. 1942 which is the subject matter of the F.I.R. was sold to the informant by a third person namely, Mukesh Kumar. A case was lodged by the appellants having Mutation Appeal Case No. 51 / 2023-24 before the D.C.L.R., Sheikhpura in which the order dated 19.12.2023 was passed in favour of the appellants. Thereafter, a title suit has been filed by the side of the informant having Title Suit No. 40 / 2025 and the same is still pending. The allegation of calling by caste name is not in full public view.

5. Learned Special P.P. for the SC/ST Act is not present



including learned counsel for the respondent no. 2.

6. Regard being had to the submission made by the parties, taking into consideration the the fact that the present F.I.R. is a result of land dispute between the parties for which title suit is still pending, accordingly, I am inclined to grant anticipatory bail to the appellants.

7. Accordingly, the order dated 04.03.2025 passed in A.B.P. No. 76 of 2025 (arising out of Sheikhpura SC/ST P.S. Case No. 50 of 2024 is hereby set aside. The appeal is allowed.

8. Let the appellants, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned District & Addl. Sessions Judge-1st cum Special Judge, SC / ST Act, Sheikhpura in connection with Sheikhpura SC / ST P.S. Case No. 50 / 2024 subject to the condition as laid down under Section 482 (2) of the B.N.S.S.

(Anil Kumar Sinha, J)

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