

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2569 of 2025

Arising Out of PS. Case No.-69 Year-2025 Thana- DERNI BAZAR District- Saran

Vikky Ray @ Vikky Kumar Ray S/o- Sipahi Ray Village- Sultanpur P.S-Derni District- Saran

... .. Appellant/s

Versus

1. The State of Bihar
2. Rajendra Manjhi S/o- Late Sheobachhan Manjhi Village- Sultanpur Ps-Derni Dist- Saran

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Anirudh Kumar, Advocate

For the Respondent/s : Ms .Usha Kumari 1,Special PP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 22-07-2026 1. Heard learned counsel for the appellant and learned Special P.P. for the State, Ms. Usha Kumari No. 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 26.05.2025 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Chapra in connection with Derni P.S. Case No. 69 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 303(2), 324(4)&(5), 352, 351(2)& (3), 3(5) of the BNS as well as Sections 3(1)(r)(S), 3(2)(va) of the SC/ST Act.



3. Learned counsel for the appellant submits that from perusal of the office report dated 18.07.2026, it would manifest that notice on behalf of the Respondent No. 2 has been received by his wife, it is submitted that since notice has been received by the wife of the informant, as such, the notice is deemed to validly served.

4. The Court completely concurs with the submission made by the learned counsel appearing on behalf of the appellant.

5. Learned counsel for the appellant submits that appellant has antecedent of one case and the informant alleges that appellant came to his house along with other accused persons on 13.04.2025 at 07:20 AM and was knocking the door, hence his wife informed him, thus the informant came back home when petitioner assaulted by fist and abused by taking caste name and threatened that he will be killed.

6. 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 entire occurrence took place at the house of the informant thus was not in a public view and allegation of abuse and assault does not



inspire confidence, it is next submitted that this perhaps explains why informant despite receiving notice chooses not to appear and contest.

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

8. In view of the submissions made by the learned counsel for the appellant, the order dated 26.05.2025 **is hereby set aside** and the appellant above-named, in the event of his 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) 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 Derni P.S. Case No. 69 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)

Nitesh/-

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