

Arising Out of PS. Case No.-30 Year-2025 Thana- CHANAN District- Lakhisarai

Arising Out of PS. Case No.-30 Year-2025 Thana- CHANAN District- Lakhisarai

- Appellant/s

Versus

- Respondent/s

For the Appellant/s	:	Mr.Sanjeev Kumar
For the Respondent/s	:	Mr.Sadanand Paswan
		Mr.Krishna Murari Rawt
		Mr.Ajoy Kumar Chakraborty
		Mr.Md. Mokhtar Ansari

For the Appellant/s	:	Mr.Sanjeev Kumar
For the Respondent/s	:	Mr.Sadanand Paswan
		Mr.Krishna Murari Rawt
		Mr.Ajoy Kumar Chakraborty
		Mr.Md. Mokhtar Ansari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 12-05-2026 1. Heard the learned counsel for the appellants, the
learned Special Public Prosecutor for the State and the
learned counsel appearing on behalf of the informant.

2. The appellants have challenged the order dated 22.05.2025 passed by the learned District & Additional Sessions Judge-1-cum-Special Judge, SC/ST Act, Lakhisarai in connection with ABP No.502 of 2025 arising out of Chanan P. S. Case No.30 of 2025, instituted for the



offences under Sections 126(2),115(2),352,351(2),118(1),329(3),75,76,3(5) of the Indian Penal Code and Section 3(2)(va) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby their prayer for grant of anticipatory bail has been rejected.

3. The learned counsel appearing on behalf of the appellants submits that appellants are persons with clean antecedent and the informant alleges that on 03.03.2025 at 6.30 P.M., the named accused persons including the appellants came while she was constructing her house over her land and started abusing by taking caste name. On objection, they have sold the land to her, then why they are abusing, when Yadu gave orders to kill and thereafter Yadu along with other accused assaulted her by lathi and danda and accused Nineshwar caught her and acted inappropriately while Sujit unveiled her and accused also assaulted her husband and son who came to save her.

4. The learned counsel for the appellants submits that appellants have been falsely implicated in the instant case by the informant. It is next submitted that from perusal



of the allegations as alleged in the FIR, it would manifest that no specific allegation is alleged against the appellant nos.2 and 3. As far as appellant no.1 is concerned, the allegation against him is of unveiling the informant but then the allegation is ornamental in nature for the reason that the occurrence was not committed in public view as such SC/ST (P.O.A.) Act is not attracted. It is also submitted that informant does not belong to the Scheduled Caste Category rather she was married to a person who belongs to Scheduled Caste Category, as such, by marriage the informant could not have acquired the caste of her husband.

5. At this stage, the learned counsel appearing on behalf of the informant submits that he has instruction not to oppose the appeal.

6. Regard being had to the aforesaid submissions, the order dated 22.05.2025 is set-aside.

7. The appeal stands allowed.

8. The appellants, above-named, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of



Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge-1-cum-Special Judge, SC/ST Act, Lakhisarai in connection with ABP No.502 of 2025 arising out of Chanan P. S. Case No.30 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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