

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2884 of 2025

Arising Out of PS. Case No.-58 Year-2025 Thana- MORKAHI District- Khagaria

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1. Ratan Yadav @ Ram Ratan Yadav S/o Late Basudev Yadav R/o Village- Chandra Nagar (Ranko), P.S.- Muffasil, Distt.- khagaria
 2. Gautam Yadav S/o Ratan Yadav @ Ram Ratan Yadav R/o Village- Chandra Nagar (Ranko), P.S.- Muffasil, Distt.- khagaria

... .. Appellant/s

Versus

1. The State of Bihar
2. Arwalal Paswan S/o Late Gadho Paswan R/o Vill- Sabalpur, P.S.- Morkahi, Distt- Khagaria

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Ranjeet Kumar Singh
For the Respondent/s	:	Mr.Binay Krishna, Spl. PP
		Mr. Jai Kishor Poddar, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 30-06-2026 1. Heard learned counsel for the appellants, learned Spl. P.P. for the State and the learned counsel appearing 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 24-6-2025 in A.B.P. No 44 of 2025 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Khagaria in connection with Morkahi P.S. Case No. 58 of 2025 registered for the offences punishable



under Sections 126(2), 127(2), 115(2), 109, 303(2), 308(3), 308(4), 308(5), 351(2), 351(3), 352 and 3(5) of the BNS and Section 27 of Arms Act as well as Sections 3(1)(r)(s) of the SC/ST Act.

3. Learned counsel for the appellants submits that appellants have antecedent of two cases and the informant alleges that on 31-3-2025 he had gone on his land given by the government where wheat was sown, further Ram Pravesh Yadav along with other named accused persons including the appellants came and demanded an extortion of Rs. 2 lakh and threatened that if extortion is not paid, the wheat crop would be looted, as such the informant gave Rs. 10,000/-, it is next alleged that since Rs. 1.90 lakh by way of extortion could not be paid to the accused persons including the appellants as such the accused persons came on 7-4-2025 and looted the wheat crop and also abused the informant by taking caste name and Ram Parvesh fired but missed.

4. Learned counsel for the appellants submits that the appellants have been falsely implicated in the instant case. It is next submitted that the allegations as alleged in the FIR does not inspire confidence for the reason that it does not appear probable that had extortion been demanded by the accused



persons including the appellants from the informant on 31-3-2025 and informant would have parted with Rs. 10,000/- in that event the informant would not have waited till 7-4-2025 for the accused to come and loot his wheat crop rather would have approached the concerned police station and would have instituted an FIR that extortion is being demanded and threat is being posed. It is also submitted that as far as allegation of abuse is alleged, the same is general and omnibus in nature as it does not appear probable that all accused in one go would have abused the informant by taking caste name. It is next submitted that allegation of firing is ornamental in nature as no one was injured. It is further submitted that the case is to be viewed in backdrop of a land dispute.

5. Learned Spl. P.P. for the State and learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the appellants but then the learned counsel appearing on behalf of the informant is not in a position to rebut the submission of the learned counsel appearing on behalf of the appellants that the informant did not institute an FIR when extortion was demanded rather waited for the accused persons to come and loot his wheat crop.

6. Considering the aforesaid facts, let the appellants



above-named, in the event of their 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) each 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 the aforesaid case, subject to the conditions as laid down under Section 482 (2) of the BNSS.

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

(Satyavrat Verma, J)

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