

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2937 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- SC/ST District- Gaya

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1. Ramu Mahto @ Ramashish Kumar son of Rajendra Mahto village- Bhusunda, Ps- Muffasil, Dist- Gaya
 2. Bhundul Mahto @ Devashish Mahto Son of Rajendra mahto village- Bhusunda, Ps- Muffasil, Dist- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Jira Devi wife of Rajesh Choudhary village- Bhusunda, Ps- Muffasil, Dist- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Mrigendra Kumar
For the Respondent/s	:	Ms.Usha Kumari 1,Spl. PP
		Mr. Vikram Kumar, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 04-05-2026 1. Heard learned counsel for the appellants, learned Spl. P.P. for the State, Ms. Usha Kumari No. 1 and 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 20-6-2025 in A.B.P. No. 160 of 2025 passed by the learned Exclusive Special Judge S.C./S.T. (POA) Act, SC/ST in connection with SC/ST P.S. Case No. 19 of 2025 registered for the offences punishable under Sections 190, 191(2), 126(2),



115(2), 303(2), 351(2), and 352 of the BNS as well as Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the SC/ST Act.

3. Learned counsel for the appellants submits that appellants are persons with clean antecedent and the informant alleges that on 16-3-2025 at 7:30 pm, 7 named accused persons including the appellants came and abused by taking caste name and Bhushan along with Tenni assaulted his son Suraj by rod causing injury, further accused persons pelted stones causing injury on his nose, it is next alleged that informant had gone to Muffasil PS for instituting an FIR, but then the same was not registered hence the FIR was instituted at SC/ST PS.

4. Learned counsel for the appellants submits that the appellants have been falsely implicated in the instant case by the informant. It is next submitted that the date of occurrence is 16-3-2025 and the FIR came to be instituted on 22-3-2025. It is further submitted that if Muffasil PS did not institute an FIR nothing prevented the informant from approaching the SC/ST PS promptly or within a reasonable time, but then the FIR came to be instituted after five days which also casts an aspersion on the case of the prosecution. It is also submitted that allegation of abuse is general and omnibus in nature and no specific allegation of assault is alleged against the appellants.



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 are not in a position to rebut the submission of the learned counsel appearing on behalf of the appellants that allegations against the appellants are general and omnibus in nature.

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 with respect to the appellants.

(Satyavrat Verma, J)

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