

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3774 of 2023**

Arising Out of PS. Case No.-47 Year-2022 Thana- HATHAURI District- Muzaffarpur

1. LALBABU SAHNI S/O LATE KAPIL SAHNI R/O VILLAGE- SIMRI, P.S- HATHAURI, DISTT.- MUZAFFARPUR.
2. BITTU SAHNI @ RAM CHALITAR SAHNI @ BILTU SAHNI S/O JANAK SAHNI R/O VILLAGE- SIMRI, P.S- HATHAURI, DISTT.- MUZAFFARPUR.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

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

For the Respondent/s : Mr. Sadanand Paswan, Spl.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

6 16-04-2026 1. Heard learned counsel for the appellants and learned Special Public Prosecutor for the State.

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 14.10.2022 in A.B.P. No. 3871 of 2022 passed by the learned 1st Additional District & Sessions Judge-cum-Special Judge, SC/ST (POA) Act, Muzaffarpur in connection with Hathauri P.S. Case No. 47 of 2022 registered under Sections 147, 148, 341, 323, 332, 307, 353, 448, 506 and 509 of the Indian Penal Code, Section 9 of the Loudspeaker Act, Sections 3 and 4 of the Epidemic Act as well as Sections 3(i)(r)



(s) of the SC/ST Act.

3. Learned counsel appearing on behalf of the appellants submits that appellants are persons with clean antecedent. It is further submitted that informant is the Officer-in-Charge and despite receiving the notice chooses not to appears and contest. It is next submitted that in sum and substance, the allegation as alleged in the FIR is that a scuffle with the police ensued and co-accused persons including the appellants created hindrance in discharge of official duty by the informant and other police persons and even abused by taking caste name.

4. Learned counsel for the appellants submits that appellants have been falsely implicated in the instant case by the informant. It is further submitted that it does not appear probable that all accused in one go would have abused the informant. It is next submitted that allegation is general and omnibus in nature. It is also submitted that Umesh Sahni along with two others had approached this Court seeking anticipatory bail by filing Cr. Appeal (SJ) No. 1524 of 2022 and the same came to be allowed by an order dated 14.07.2022 passed by a learned the then Coordinate Bench of this Court and, thus, based on parity seeks anticipatory bail.



5. Learned Special Public Prosecutor for the State opposes the prayer for anticipatory bail of the appellants.

6. Considering the submissions made by the learned counsel appearing on behalf of the appellants, let the appellants, above-named, in the event of their arrest or surrender within a period of six weeks from the date of receipt of the order, 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 in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

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

(Satyavrat Verma, J)

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