

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3157 of 2025**

Arising Out of PS. Case No.-3 Year-2020 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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1. Laloshwar Sah @ Laleshwar Sah @ Lalo Sah S/o- Yugeshwar Sah Village- Jiwachpur W.No-7, Ps- Bharrahi OP Madhepura A/P- Ps- Bharrahi Dist- Madhepura
 2. Fooleshwar Kumar @ Foolchandra Sah @ Fuleshwar Kumar @ Foolchand Sah S/o- Laloshwar Sah @ Laleshwar Sah @ Lalo Sah Village- Jiwachpur W.No-7, Ps- Bharrahi OP Madhepura A/P- Ps- Bharrahi Dist- Madhepura
- Appellant/s

Versus

1. The State of Bihar
 2. Manju Devi W/o- Bhuto Rishidev @ Bhuto Sada Village- Jiwachhpur W.No-6, Panchayat Madanpur Ps- Bharrahi OP Madhepura
- Respondent/s

Appearance :

For the Appellant/s : Mr.Amarnath Jha
For the Respondent/s : Mr.Binay Krishna, Spl. PP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 13-07-2026 1. Heard learned counsel for the appellants and learned Spl. P.P. for the State, Sri Binay Krishna.

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 8-7-2025 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Madhepura in connection with SC/ST Complaint Case No. 3 of 2020 registered for the offences punishable under Sections 323, 324, 120B, 341, 354B, 504, 380, 395 of IPC and Section 27 of



Arms Act as well as Sections 3(1)(s)(r), 3(1)(w) and 3(2)(va) of the SC/ST Act.

3. Learned Spl. PP submits that in compliance of the order dated 11-11-2025, the Superintendent of Police was informed that he is required to intimate the respondent no. 2 about pendency of the instant appeal. It is next submitted that respondent no.2 has been intimated about the pendency of the appeal, but then he chooses not to appear and contest.

4. Learned counsel for the appellants submits that appellants have antecedent of one case and the complainant alleges that she sells small articles, further after closing the shop she came home for having dinner when accused persons including the appellants came and started abusing and demanded extortion of Rs. 50,000/-, on objection appellants acted inappropriately with her on order of Lalu, and snatched silver ornaments along with other articles as detailed in the complaint.

5. Learned counsel for the appellants submits that the appellants have been falsely implicated in the instant case by the complainant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that the entire occurrence took place at the house of the appellants and



thus was not in public view. It is also submitted that allegation of abuse is not specific and demanding extortion is ornamental. It is further submitted that it does not appear probable that all the accused would have come to the house of the complainant seeking extortion. It is thus submitted that this perhaps explains why respondent no. 2, despite receiving notice, chooses not to appear and contest.

6. Learned Spl. P.P. for the State opposes the prayer for anticipatory bail of the appellants.

7. 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.

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

(Satyavrat Verma, J)

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