

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3186 of 2025

Arising Out of PS. Case No.-366 Year-2025 Thana- VAISHALI District- Vaishali

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1. Sumitra Devi Wife of Raj Narayan Singh @ Rajnarayan Singh Resident of village - Patedhi Bhai Khan Po- Anirudh, Ps- Belsar, Dist- Vaishali
 2. Bibha Devi Wife of Chandan Nagmani and Daughter of Raj Narayan singh @ Rajnarayan Singh Resident of village - Patedhi Bhai Khan Po- Anirudh, Ps- Belsar, Dist- Vaishali
 3. Raj Narayan singh @ Rajnarayan Singh son of Late Waskit singh Resident of village - Patedhi Bhai Khan Po- Anirudh, Ps- Belsar, Dist- Vaishali

... .. Appellant/s

Versus

1. The State of Bihar
2. Shatrughan Paswan son of Late Ramsohag Paswan Resident of village - Patedhi Bhai Khan Po- Anirudh, Ps- Belsar, Dist- Vaishali

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 20-05-2026 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State through virtual mode.

2. Despite the notice has validly been served but no
one appeared on behalf of the Respondent No. 2.

3. This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 against the rejection of prayer for
anticipatory bail vide order dated 24.07.2025 passed by the
learned Special Judge, SC/ST, Vaishali in A.B.A. No. 1723 of 2025 in
connection with Vaishali (Belsar O.P.) P.S. Case No.366 of



2025 registered for the offence/s punishable under Sections 126(2), 151(2), 109(1), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and under Section 3(2)(va) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

4. As per the prosecution case, the informant has alleged that the named accused persons, including the appellants, came and started abusing him by using his caste name. It is alleged that when the informant asked them not to abuse, appellant no. 3 Raj Narayan Singh, caught hold of the informant and one co-accused, Raushan Kumar, gave a knife blow on his chest. It has further been alleged that all the accused persons threatened them and fled away.

5. Learned counsel for the appellant submits that allegations against the appellant is not specific, rather, the same are general and omnibus and the appellant nos. 1 and 2 are the lady members of the family. It has further been submitted that there is a land dispute between the parties. It has also been pointed out that for the same incident an FIR was lodged by the appellant's side and in fact it was in retaliation to the said FIR that subsequent thereto, the present FIR has been lodged with a false and concocted story. It has lastly been submitted that the appellants have one criminal antecedent of the year 2013



relating to a land dispute between the agnates.

6. Learned Spl. P.P. for the State has vehemently opposed the bail petition of the appellants.

7. In view of the aforesaid facts and circumstances of the case as well as finding substance in the contention of the learned counsel for the appellants, the impugned order dated 24.07.2025 passed by the learned Special Judge, SC/ST, Vaishali in A.B.A. No. 1723 of 2025 in connection with Vaishali (Belsar O.P.) P.S. Case No.366 of 2025, is set aside against the appellant.

8. The criminal appeal is allowed.

9. Considering the aforesaid submission, facts and circumstances of the case, let the appellant above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Vaishali (Belsar O.P.) P.S. Case No.366 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S.



as well as subject to the following conditions:-

(i) One of the bailors of the appellants shall be their close relative and the other shall be the local resident.

(ii) The appellants shall in no manner threaten or try to contact or influence the informant.

(iii) The learned Court below shall verify the criminal antecedent of the appellants and in case at any stage it is found that the appellants have concealed their criminal antecedent, the court below shall take step for cancellation of bail bonds of the appellants. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

10. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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