IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3179 of 2026

CNR No. BRHC010844622026

Arising Out of PS. Case No.-187 Year-2026 Thana- BOCHAHAN District- Muzaffarpur

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1. Sitaram Thakur son of Late Ramroop Thakur Resident of Village -Mishrauliya PS -Garhan Dist- Muzaffarpur
2. Arjun Thakur Son of Sitaram Thakur Resident of Village -Mishrauliya PS -Garhan Dist- Muzaffarpur
3. Satyam Thakur Son of Arjun Thakur Resident of Village -Mishrauliya PS -Garhan Dist- Muzaffarpur
4. Santosh Thakur son of Ram Pravesh Thakur Resident of Village - Chadhuan, Ps- Turki, Dist- Muzaffarpur

... ... Appellant/s

Versus

1. The State of Bihar
2. Naresh Ram Son of Raghuni Ram Resident of Village - Baliya Indrajeet, Ps- Bochaha, Dist- Muzaffarpur

... ... Respondent/s

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Appearance :
For the Appellant/s : Mr. Arun Kumar
For the Respondent/s : Mr. Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

3 27-10-2026 1. Heard learned counsel for the appellants, learned A.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 23.07.2026 in A.B.P. No. 3013 of 2026 passed by

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the learned Special Judge, SC/ST (POA) Act, Muzaffarpur in connection with Bochahan P.S. Case No. 187 of 2026 registered under Sections 126(2), 115(2), 117(2), 316(2), 318(4), 3(5) of the BNS as well as Sections 3(1)(i), 3(1)(r)(s) of the SC/ST Act.

3. Learned counsel appearing on behalf of the appellants submits that appellants have antecedent of one case and the informant alleges that he had given an amount of Rs. 21,000/- to Arjun Thakur for constructing a get greel, it is next alleged that on 18.06.2026 at 6:00 P.M. he had gone to the shop of Arjun for getting the gate grill but Arjun informed that the same till date has not been constructed on which the informant asked for his money, thereafter the appellants abused by taking caste name and even assaulted by fist and leg, it is further alleged that on protest Arjun assaulted by rod causing injury on head, while Satyam assaulted by hammer on the body and Arjun along with Satyam took out Rs. 3,500/- from his pocket along with chain.

4. Learned counsel for the appellants submits that appellants have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the occurrence took place not on account of the fact that informant

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belongs to SC community but for the reason that a dispute had arisen when the informant asked for his money which he had given for constructing the gate grill which could not be completed on time, it is also submitted that entire occurrence took place at the shop of Arjun as such was not in public view and even injury suffered by the injured has been opined to be simple in nature.

5. Learned A.P.P. for the State and the 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 the injury suffered by the injured has been opined to be simple in nature.

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

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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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