

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3397 of 2025

Arising Out of PS. Case No.-84 Year-2024 Thana- SC/ST District- Madhubani

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1. Santosh Yadav @ Santosh Kumar S/O Surendra Yadav R/O Village-Malin, Balha, P.S.- Lalmaniya, District-Madhubani
 2. Mohan Yadav @ Mohan Kumar S/o- Dev Narayan Yadav R/O Village-Malin, Balha, P.S.- Lalmaniya, District-Madhubani
 3. Amla Devi W/o- Sachin Yadav @ SAchindra Yadav R/O Village-Malin, Balha, P.S.- Lalmaniya, District-Madhubani

... .. Appellants

Versus

1. The State of Bihar
2. Sanju Devi D/O Bhuvan Paswan R/O Vill.- Kunwar, P.S.- Rajnagar, Dist.- Madhubani, Presently residing at- Raju Devi, W/O Surender Yadav, R/O -Malin Belha, P.S.- Lalmaniya, District-Madhubani

... .. Respondents

Appearance :

For the Appellant/s : Ms. Kumari Pallavi, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 16-03-2026 Heard learned counsel for the appellants and

learned Spl. P.P. 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 24.06.2025 in A.B.P. No. 1052 of 2025 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Madhubani, District-Madhubani in connection with SC/ST P.S. Case No. 84 of 2024 registered for



the offences punishable under Sections of the Indian Penal Code as well as Sections 191(2), 191(3), 330(2), 352, 351(2) of the IPC and Section 3(1)(r), 3(1)(s), 3(1)(w)(i), 3(2)(va) of the SC and ST Act.

3. Learned counsel for the appellants submits that the appellants are persons with clean antecedent. It is next submitted that appeal with respect to appellant nos. 2, 3, 5 and 6 have been withdrawn by order dated 25.11.2025. It is next submitted that the informant alleges that she has solemnized inter-caste marriage and out of the wedlock, a son and a daughter namely, Rajesh Kumar and Kajal Kumari were born, it is further alleged that on 02.09.2024, she purchased a land and when accused persons came to know about purchasing of the land on 02.10.2024, it is alleged that they abused by taking caste name, it is further alleged that Santosh Yadav threatened that she will be killed and Dileep acted inappropriately. It is next alleged that accused persons entered her house and Dhurni abused, on alarm people gathered and they fled.

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 from perusal of the allegations as alleged in the FIR, it would manifest that on



account of dispute relating to land, the occurrence is alleged to have taken place. It is further submitted that since there is a dispute with regard to the land in question, as such, in order to coerce the appellants into submission, a false case came to be instituted with general and omnibus allegation. It is next submitted that though it is alleged that accused persons abused her by taking caste name but then it does not appear probable that all the accused in one go would have abused the informant by taking caste name. It is next submitted that as far as allegation of Santosh Yadav threatening and Dileep acting inappropriately is alleged, the same is ornamental. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that Dhurni abused the informant by taking caste name at her house, thus was not in public view. It is further submitted that no specific allegation is alleged against Mohan and Amla.

5. Learned Spl. P.P. for the State and learned counsel for the informant opposed the prayer for anticipatory bail of the appellants but are not in a position to rebut the submission of the learned counsel appearing for the appellants that on account of dispute relating to land the occurrence is alleged to have taken place and as far as allegation of abuse is alleged, the same is



general and omnibus in nature.

6. In view of the submissions made by the learned counsel for the appellants, the order dated 24.06.2025 in A.B.P. No. 1052 of 2025 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Madhubani, District-Madhubani in connection with SC/ST P.S. Case No. 84 of 2024 is hereby set aside and 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 court below where the case is pending/successor court in connection with SC/ST P.S. Case No. 84 of 2024 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. Accordingly the appeal stands allowed.

(Satyavrat Verma, J)

Gaurav Sinha/-

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