

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3423 of 2025

Arising Out of PS. Case No.-244 Year-2025 Thana- BANIAPUR District- Saran

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1. Dipu Kumar Ray @ Dipu Yadav, Son of Mukun Ray @ Vakil Yadav, Resident of Village- Majhauri, P.S.- Baniapur, District- Saran
 2. Ravi Kumar Ray @ Ravi Kumar, son of Ramjeet Ray, Resident of Village- Majhauri, P.S.- Baniapur, District- Saran
 3. Raushan Kumar Ray @ Raushan Kumar, son of Ramjeet Ray, Resident of Village- Majhauri, P.S.- Baniapur, District- Saran

... .. Appellant/s

Versus

1. The State of Bihar
2. Pramila Devi, Wife of Chandan Ram, Resident of Village- Majhauri, P.S.- Baniapur, District- Saran

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Krishna Kant Singh, Advocate
For the Respondent/s : Mrs. Usha Kumari 1, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 29-04-2026 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 23.07.2025 in A.B.P. No. 2656 of 2025 passed by the learned SC/ST Exclusive Special Judge, (POA) Act, Chapra, Saran in connection with Baniapur P.S. Case No. 244 of 2025 registered under Sections 127(1), 115(2), 118(1), 117(2), 109,



75, 351(2), 352, 3(5) of the BNS as well as Sections 3(i)(r)(s), 3(2)(va) of the SC/ST Act.

3. Learned S.P.P. for the State, at the outset, submits that in compliance of the order dated 17.11.2025, the concerned Superintendent of Police was informed about the pendency of the appeal and was requested to inform the informant about the case so that he appears on the next date fixed i.e. 11.12.2025. It is next submitted that despite the informant being aware of the pendency of the appeal, chooses not to appear and contest.

4. The learned counsel for the appellants submits that the appellants are person with clean antecedent and the informant alleges that she along with her mother-in-law and daughter were going to attend the function when appellants in front of her house abused by taking caste name and acted inappropriately with her daughter, on protest assaulted by rod causing injury on her head and also assaulted Laxman Ram by sharp weapon causing injury on head.

5. Learned counsel for the appellants submits that appellants have been falsely implicated in the instant case by the informant. It is further submitted that as far as allegation of abuse is alleged the same was not in public view and it does not appear probable that all accused in one go would have abused



the informant by taking caste name. It is next submitted that as far as the allegation of assault is alleged the same is also not specific and the injury has been opined to be simple in nature and allegation of acting inappropriately with her daughter is ornamental. It is further submitted that these are the reasons perhaps the informant despite receiving notice chooses not to appear and contest.

6. Learned Special Public Prosecutor for the State opposes the prayer for anticipatory bail of the appellants but then fairly submits that after perusing the case diary that injury is simple and not in a position to rebut the submission of the learned counsel appearing on behalf of the appellants that allegation of assault is not specific.

7. 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.

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

(Satyavrat Verma, J)

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