

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3427 of 2025

Arising Out of PS. Case No.-50 Year-2025 Thana- SC/ST District- Samastipur

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1. Neetu Devi @ Neetu Deva W/O Naresh Mahto Resident of Village- Ram Nagar Tole Sonupur, P.S.- Rosera, District- Samastipur
 2. Puja Kumari D/O Naresh Mahto Resident of Village- Ram Nagar Tole Sonupur, P.S.- Rosera, District- Samastipur
 3. Appu Kumar S/O Naresh Mahto Resident of Village- Ram Nagar Tole Sonupur, P.S.- Rosera, District- Samastipur
 4. Naresh Mahto S/O Late Miso Mahto Resident of Village- Ram Nagar Tole Sonupur, P.S.- Rosera, District- Samastipur
 5. Pappu Kumar S/O Naresh Mahto Resident of Village- Ram Nagar Tole Sonupur, P.S.- Rosera, District- Samastipur

... .. Appellant/s

Versus

1. The State of Bihar Patna
2. Fool Kumari Devi W/O Triveni Paswan R/O Vill.- Lalpur Asthan, P.S.- Rosera, District- Samastipur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Bhubneshwar Mahto
For the Respondent/s	:	Mr.Sadanand Paswan, Spl. PP
		Mr. Gaurav Kumar, Adv
		Ms. Kumari Archana, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 14-05-2026 **1.** Heard learned counsel for the appellants, learned Spl. P.P. for the State, Sri Sadanand Paswan 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 24-7-2025 passed by the learned Special Judge S.C./S.T. (POA) Act, Samastipur in connection with SC/ST P.S. Case No. 50 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 74, 76, 303(2), 352, 351(2) and 3(5) of the BNS as well as Sections 3(1)(r)(s)(w) and 3(2)(va) of the SC/ST Act.

3. Learned counsel for the appellants submits that appellants are persons with clean antecedent and the informant alleges that on 29-3-2025 he had gone to seek her wages, when accused persons including the appellants abused her by taking caste name and Naresh along with Neetu unveiled her and Pappu assaulted Jagarnath by rod causing injury on head and Neetu snatched her chain, while Pappu and Pooja tried to strangle Jagarnath.

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 even presuming what has been alleged is true without admitting then the occurrence took place at the house of the appellants as such was not in public view. It is further submitted that the falsity of the allegation would manifest from the fact that the date of occurrence is 29-3-2025 and the FIR came to be instituted on 5-5-2025, i.e., after a



delay of more than 34 days.

5. Learned Spl. P.P. for the State and 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 occurrence took place at the house of the appellant and the FIR was instituted after a delay of more than 34 days.

6. 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.

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

(Satyavrat Verma, J)

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