

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3567 of 2025

Arising Out of PS. Case No.-153 Year-2023 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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1. Baidhyanath Singh, S/O Late Bachhu Singh, R/O Mohalla- New Colony Balu Ghat, PS-Town, Distt-Muzaffarpur
 2. Amit Kumar, S/O Baidhyanath Singh, R/O Mohalla- New Colony Balu Ghat, PS-Town, Distt-Muzaffarpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Raj Kapur Dhankar, S/O Singeshwar Dhankar, R/O Village-Jajua Tola Bhorha, PS- Katra, Distt-Muzaffarpur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Satish Chandra, Advocate
For the State	:	Mr. Sadanand Paswan, Spl. P.P.
For the Respondent no.2	:	Ms. Y. Madhavi, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 09-02-2026 Heard learned counsel for the appellants, learned counsel for the respondent 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 10.06.2025 passed by the learned Exclusive Special Judge S.C./S.T. (POA) Act, Muzaffarpur in connection with Town P.S. Case No. 153 of 2023 registered for the offences punishable under Sections 420, 379, 323, 504 & 506/34 of the Indian Penal Code as well as Section 3(1)(r)(s) of the SC/ST (POA) Act.



3. The case of the prosecution, in short, is that the respondent was living with the family on rent in the house of the appellant no.1 Vaidyanath Singh. It is further alleged that the respondent has handed over Rs.8,65,000/- to appellant no.1 for purchasing some land. It is further alleged that when the respondent requested for execution of sale deed, appellants no. 1 changed. It is alleged that the respondent was being abused with caste name. Ultimately on 15.09.2022, when the respondent asked the appellants to return the cash it is alleged that appellants and others abused with caste name and assaulted.

4. Learned counsel for the appellants has submitted that the appellants are innocent and have committed no offence. They have falsely been implicated in this case. The occurrence is of 15.09.2022 whereas the FIR has been lodged on 25.02.2023. This huge delay is not explained. As far as giving amount of Rs.8,65,000/- is concerned, there is no agreement between the parties regarding the execution on any sale deed, even learned counsel for the respondent has also conceded that there is no agreement and the amount was given in cash on different dates. It has further been submitted that it is a dispute between landlord and tenant. The nature of allegation is general and omnibus. It has also been submitted that similarly situated co-accused has been granted anticipatory bail by this Court vide Cr. Appeal (SJ) No. 3025 of



2025. The case of these appellants stands on similar footing.

5. Learned Spl. P.P. for the State and learned counsel for the respondent have vehemently opposed the appeal.

6. In view of the submissions made by the learned counsel for the appellants, the order dated 10.06.2025 in A.B.P. No. 297 of 2025 passed by the learned Exclusive Special Judge S.C./S.T. (POA) Act, Muzaffarpur in connection with Town P.S. Case No. 153 of 2023 is hereby set aside and the appellants above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten 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 Town P.S. Case No. 153 of 2023 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. Accordingly the appeal stands allowed.

(Ashok Kumar Pandey, J)

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