

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3591 of 2025

Arising Out of PS. Case No.-25 Year-2025 Thana- Maghopur District- Gopalganj

-
1. Ramashish Sah son of Babu Lal Sah Resident of Village- Madhopur PS -Madhopur District -Gopalganj
 2. Dinesh Prasad Son of Vijay Prasad Resident of Village- Madhopur PS -Madhopur District -Gopalganj

... .. Appellant/s

Versus

1. The State of Bihar
2. Dinkar Kumar, Sub-Inspector of Police son of Late Rajendra Prasad Singh @ Rajendra Singh Resident of Village- Balgudar, PS and Dist- Lakhisarai, Recently Posted as Sub Inspector of Police PS- Madhopur, Gopalganj

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Jagannath Singh, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Special P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-01-2026 Heard learned counsel for the appellants and learned Special 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 27.06.2025, passed by learned Additional Sessions Judge-XI-cum-Special Judge SC/ST, Gopalganj in connection with Madhopur P.S. Case No.25 of 2025, registered under Sections 191(2), 190, 196, 298, 333, 324(4), 126(2), 115(2), 352 and 3(5) of B.N.S., 2023 as well as Section 3(i)(r)(s) of SC/ST



(POA) Act.

3. Learned counsel appearing on behalf of the appellants submits that appellant no.1 has antecedent of one case and appellant no.2 has antecedents of three cases and the informant alleges that 17.03.2025 at 12:00 noon while he was on patrolling duty, he received an information that several accused persons have assembled at Madhopur Math, which is disputed from before and have broken the lock and damaged the articles kept there, accordingly, the informant along with the force reached the place of occurrence and saw a lady sitting at the door of the temple, namely, Phuljhari Devi who disclosed that Sanjay Manjhi broke open the lock and Vir Pratap Singh was saying that despite order of the court in his favour, Dharmendra Kumar is disputing the land of the Math. Further, he saw Ranjan Singh, Wife of Sanjay Manjhi along with 50 accused variously armed were abusing while Dharmendra Kumar disclosed himself to be the Chairman of Madhopur Math based on an order of Religious Trust Board but refused to show any documentary evidence in support thereof. It is next alleged that from his side also, accused had gathered and both sides were ready to assault each other.

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 allegations, as alleged in the FIR, it would manifest that no specific allegation of assault is alleged. It is also submitted that even informant is not an eye witness to the occurrence rather based on secret information, he reached the place of occurrence and saw a lady sitting at the door of the temple who disclosed that what had had happened but then no specific allegation is alleged against the appellants. It is also submitted that police after investigation submitted Chargesheet No.71 of 25, dated 25.06.2025 under various sections of B.N.S. and the case was not found true under the SC/ST Act. Further, even cognizance came to be taken under the sections of B.N.S. by an order dated 22.08.2025 based on the chargesheet, as would manifest from supplementary affidavit filed on 08.01.2026.

5. The learned Special P.P. opposes the appeal.

6. Considering the submissions made by learned counsel for the appellants, let appellants, above named, in the event of their arrest or surrender before the learned Trial Court 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 Madhopur P.S. Case No.25 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

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

(Satyavrat Verma, J)

Sanjay/-

U		T	
---	--	---	--

