

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3832 of 2025

Arising Out of PS. Case No.-187 Year-2025 Thana- RUNISAIDPUR District- Sitamarhi

1. Shital Rai S/O Late Jhingur Rai Resident of Ibrahimpur, Ward no. 7, P.S.- Runnisaidpur, Dist.- Sitamarhi.
2. Vijay Rai @ Vijay Kumar S/O Shital Rai Resident of Ibrahimpur, Ward no. 7, P.S.- Runnisaidpur, Dist.- Sitamarhi.
3. Triveni Rai S/O Shital Rai Resident of Ibrahimpur, Ward no. 7, P.S.- Runnisaidpur, Dist.- Sitamarhi.
4. Ragho Rai S/O Shital Rai Resident of Ibrahimpur, Ward no. 7, P.S.- Runnisaidpur, Dist.- Sitamarhi.

... .. Appellant/s

Versus

1. The State of Bihar
2. Baijnath Baitha S/O Bangali Baitha Resident of Ibrahimpur, Ward no. 7, P.S.- Runnisaidpur, Dist.- Sitamarhi.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Neeraj Kumar Alias Sanidh
For the Respondent/s : Ms. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 29-04-2026 1. Heard learned Senior counsel for the appellants Mr. Vindhya Kesri Singh, learned Special P.P. Ms. Usha Kumari No.1 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 01.08.2025 in A.B.P. No. 42/2025, arising out of



Runnisaidpur P.S. Case No.187/2025 passed by the learned 1st Additional Sessions Judge-cum- Special Judge, SC/ST Act, Sitamarhi registered under Sections 103(1), 3(5) of the BNS, 2023 and Sections 3(2)(va) of the SC/ST Act.

3. Learned Senior counsel appearing on behalf of the appellants submits that appellants have antecedent of one case and the informant alleges that on 13.05.2025, his brother had an altercation with Sheetal with regard to a land of *Math* and his brother was threatened, further on 14.05.2025, his brother went to his field but did not return till 8 P.M., thus a search was made and the informant saw Sheetal along with his son sitting in the field and on seeing the informant they fled and the dead body of his brother was recovered from the field.

4. Learned Senior 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 allegation as alleged in the FIR, it would manifest that informant is not an eyewitness to the occurrence, as such the entire allegation hinges around suspicion. It is also submitted that from perusal of the postmortem report, it would manifest that the same records- sudden cardiac arrest leading to CR failure, as a result of burn injury, due to electric shock and head



injury caused by hard blunt object. It is next submitted that from perusal of the postmortem report, it appears that brother of the appellants on account of receiving electric shock, died and the informant, on account of previous dispute, implicated the appellants.

5. Learned Special P.P. and the learned counsel appearing on behalf of the informant opposes the appeal. Learned counsel appearing on behalf of the informant submits that what is not in dispute rather stands admitted is that brother of the informant died. It is also submitted that how the death took place is an aspect of investigation but then in the FIR, it is alleged that earlier Sheetal had threatened the brother of the informant of dire consequences, on account of dispute, relating to a *Math* land and the informant also specifically alleges that when search was made for locating the victim, the informant came at the place of occurrence and saw Sheetal and his son sitting and when they saw the informant, they fled and thereafter, the dead body was recovered. It is also submitted that postmortem report also records injury on head of the deceased caused by hard and blunt object. It is thus submitted that all these aspects requires requires to be investigated, for which interrogation of the appellants is necessary. It is next submitted



that if privilege of anticipatory bail is granted to the appellants, the appellants may abscond. It is also submitted that process under section 82 Cr.P.C. has been issued against the appellants in October, 2025.

6. After hearing the learned counsel for the parties and also taking into consideration the submissions made by the learned counsel appearing on behalf of the informant, the court is not inclined to extend the privilege of anticipatory bail to the appellants.

7. The anticipatory bail application of the appellants is rejected.

(Satyavrat Verma, J)

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