

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3717 of 2025

Arising Out of PS. Case No.-24 Year-2025 Thana- SC/ST District- Saran

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1. Mithilesh Kumar Sharma @ Mithilesh Sharma son of Vijay Shankar Sharma
Resident of Village- Mauje Gova PS -Sahajitpur Distt- Saran
 2. Vipul Kumar Prasad @ Vipul Prasad son of Manoj Prasad Resident of
Village- Mauje Gova PS -Sahajitpur Distt- Saran

... .. Appellant/s

Versus

1. The State of Bihar
2. Mangal Manjhi, Gramin Awas Sahayak, Panchayt Gova Piparpati, Prakhand
Baniyapur, Dist - Saran bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Lalan Kumar
For the Respondent/s : Ms. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 05-05-2026 1.Heard learned counsel for the appellants, learned

Spl. P.P. for the State. No one appears 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 12.08.2025 in A.B.P. No. 2410/2025 passed by the

learned Exclusive Special Judge S.C./S.T. Act, Saran at Chapra

in connection with District Saran SC/ST P.S. Case No.

51230755250024 dated 15.06.2025 registered for the offences



punishable under Sections 126(2), 115(2), 1182, 352 and 3(5) of the BNS as well as Sections 3(1)(r)(s) and 3(2)(va) of the SC/ST Act.

3. Learned counsel for the appellants submits that the appellants are persons with clean antecedent. It is next submitted that informant despite receiving notice chooses not to appear and contest. It is further submitted that the informant alleges that when he was performing the work of Jio tagging in the panchayat, the accused persons including the appellants came and pressurized him to do Jio tagging of wrong house but when informant refused he was assaulted and abused by taking caste name.

4. Learned counsel for the appellants submits that the appellants have been falsely implicated in the instant case by the informant. It is further submitted that the date of occurrence is 13.06.2025 and FIR came to be instituted on 15.06.2025. It is next submitted that allegation of abuse and assault is not specific and from reading of the allegation, it manifests that the occurrence was not committed for the reason that informant belongs to SC/ST category. It is next submitted that this perhaps explains why the informant despite receiving notice chooses not to appear and contest.



5. Learned Spl. P.P. for the State opposes the prayer for anticipatory bail of the appellants.

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 appeal stands allowed.

(Satyavrat Verma, J)

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