

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3848 of 2025

Arising Out of PS. Case No.-20 Year-2025 Thana- SC/ST District- Sitamarhi

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1. Vikram Pandit @ Vikram Kumar Son of Motilal Pandit Resident of Kusmari PS- Riga District -Sitamarhi
 2. Birendra Pandit @ Virendra Pandit son of Bhikhari Pandit Resident of Kusmari PS- Riga District -Sitamarhi
 3. Motilal Pandit Son of Bhikhari Pandit Resident of Kusmari PS- Riga District -Sitamarhi
 4. Mohit Pandit @ Nihit Pandit son of Motilal Pandit Resident of Kusmari PS- Riga District -Sitamarhi
 5. Raja Pandit @ Raja Kumar son of Motilal Pandit Resident of Kusmari PS- Riga District -Sitamarhi

... .. Appellant/s

Versus

1. The State of Bihar
2. Ranju Devi Wife of Late Krishnandan Ram Resident of Kusmari PS- Riga District -Sitamarhi

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ayush Kumar, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 24-06-2026 1. Heard learned counsel for the appellants, learned Special Public Prosecutor for the State and 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 04.06.2025 in SC/ST A.B.P. No. 30 of 2025 passed by the learned 1st Additional Sessions Judge-cum-Special Judge,



SC/ST (POA) Act, Sitamarhi in connection with Sitamarhi SC/ST P.S. Case No. 20 of 2025 registered under Sections 126, 74, 76, 352, 351, 115(2), 117(2), 303(2) and 3(5) of the BNS as well as Sections 3(1)(r)(s)(w)(i)(ii) and 3(2)(va) of the SC/ST Act.

3. In view of the grounds taken in the limitation application, delay of six days in filing the appeal is condoned, as such, I.A. No. 01 of 2025 is allowed.

4. Learned counsel appearing on behalf of the appellants submits that appellants are persons with clean antecedent and the informant alleges that her son worked as labour of Vikram but her son refused to work for Vikram since he was being paid less wages. Further, on 18.04.2025, in between 07:00-08:00 p.m., the appellants came to the house of the informant and started abusing and on objection appellants assaulted her and her son by an iron chain causing injury on head and even assaulted the informant on chest by brick and torn her Saree.

5. Learned counsel for the appellants submits that appellants have been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that on



account of dispute relating to wages, the occurrence is alleged to have taken place. It is next submitted that if the son of the informant was not willing to work as a labour, there was absolutely no occasion for the appellants to go to the house of the informant for committing the act of abuse and assault. It is also submitted that even presuming what has been alleged is true without admitting then the allegation of assault and abuse is general and omnibus in nature and the occurrence did not take place in public view as the informant herself alleges that the appellants came to her house and committed the occurrence.

6. Learned Special Public Prosecutor for the State and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the appellants but then are not in a position to rebut the said submissions of the learned counsel appearing on behalf of the appellants that the entire occurrence took place in the house of the informant and, thus, was not in public view and allegation of assault is not specific.

7. Considering the submissions made by the learned counsel appearing on behalf of the appellants, let the appellants, above-named, in the event of their arrest or surrender 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 the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

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

(Satyavrat Verma, J)

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