

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4593 of 2024

Arising Out of PS. Case No.-661 Year-2024 Thana- SONEPUR District- Saran

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1. Kumar Rahul @ Kanhaiya Singh Son of Ashok Kumar Resident of Village-Sonpur Barbatta (Naya Tola), P.O-Sonpur, P.S-Sonpur, Dist-Saran
 2. Kumar Rishabh @ Sonu Singh Son of Ashok Kumar Resident of Village-Sonpur Barbatta (Naya Tola), P.O-Sonpur, P.S-Sonpur, Dist-Saran

... .. Appellant/s

Versus

1. The State of Bihar
2. Sarita Kumari Wife of Mithilesh Kumar Resident of Village/Mohalla- Pahari Chak, Ward No. 05, P.S.- Sonpur, Distt.- Saran

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Tej Narayan Singh, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Special PP
For the Informant	:	Mr. Shashank Shekhar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 6 23-04-2026 1. Heard learned counsel for the appellants, learned Spl. P.P. for the State 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 05.09.2024 in A.B.P. No. 2954 of 2024 passed by the learned Exclusive Special Judge S.C./S.T. (POA) Act, Saran in connection with Sonepur P.S. Case No. 661 of 2024 registered for the offences punishable under Sections 126(2),



115(2), 308(2), 352, 351(2)(3) and 3(5) of the BNS, 2023 as well as Section 3(i)(r)(s) of the SC/ST Act.

3. Learned counsel for the appellants submits that appellant no. 1 has antecedent of three cases and appellant no. 2 has antecedent of one case and the informant alleges that she had gone to her purchased land for getting her house constructed when appellants came and abused by taking caste name and threatened not to construct the house on the land and if she wants to construct then will have to pay an amount of Rs. 1 Lakh and ousted her from the land.

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 appellants have sold the land in dispute to the informant by executing the sale deed, as such, there appears no occasion as to why the appellants would create disturbance for the informant in her getting a house constructed.

5. Learned counsel appearing on behalf of the informant opposes the appeal and submits that appellants after selling the land are not allowing the informant to take possession, when *Jamabandi* in the name of the informant has already been created. It is next submitted that case was referred for mediation by an order dated 13.02.2026, but then mediation



failed, it is thus submitted that if the appellants presently is taking a stand that they are not disturbing the possession of the informant then where was the question of mediation failing. It is also submitted that after selling the land, the appellants for reasons best known are not allowing the informant to take possession and at the same time abused and assaulted her when she had gone on the land for getting her house constructed.

6. After hearing the learned counsel for the parties, the Court is not inclined to extend the privilege of anticipatory bail to the appellants.

7. Accordingly, the instant appeal stands rejected.

(Satyavrat Verma, J)

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