

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3889 of 2025

Arising Out of PS. Case No.-144 Year-2025 Thana- KOPA District- Saran

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Rajan Kumar Sah S/O Lal Babu Sah R/O Village- Kumna, P.S.- Kopa,
Distgrict- Saran

... .. Appellant/s

Versus

1. The State of Bihar
2. Hajari Sah S/O late Manbodh Sah R/O Village- Kumna, P.S.- Kopa,
Distgrict- Saran

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Harish Kumar

For the Respondent/s : Mr. Binay Krishna, Spl. PP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 29-04-2026 1. Heard learned counsel for the appellant and learned
Spl. P.P. for the State, Sri Binay Krishna.

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 13-8-2025 in A.B.P. No. 2822 of 2025 passed by the
learned Exclusive Special Judge S.C./S.T. (POA) Act, Saran in
connection with Kopa P.S. Case No. 144 of 2025 registered for
the offences punishable under Sections 126(2), 115(2), 352,
303(2) and 3(5) of the BNS as well as Sections 3(1)(r)(s)
(w)/3(2)(va) of the SC/ST Act.



3. Learned counsel for the appellant submits that from perusal of the office report dated 2-4-2026, it would manifest that notice has been validly served on respondent no. 2, but then respondent no. 2 despite receiving notice chooses not to appear and contest.

4. Learned counsel for the appellant submits that appellant is a person with clean antecedent and is a young boy aged about 18 years and the informant alleges that Rajan was plucking mango for the last 2-3 days from the land he used to guard, accordingly he went to his house to complain, when he was abused by taking caste name and thereafter his named friends came and assaulted his family members and tore clothes of Kusum and Putul.

5. Learned counsel for the appellant submits that the appellant has been falsely implicated in the instant case. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that on account of trivial dispute relating to plucking of mango, the occurrence is alleged to have taken place, but then from perusal of the allegation as alleged in the FIR, it would manifest that allegation of assault and abuse is general and omnibus in nature. It is also submitted that the occurrence took place at the house of Rajan and thereafter at the



house of informant as such was not in public view. It is next submitted that this perhaps explains why informant despite receiving notice chooses not to appear and contest. It is also submitted that if appellant in the nature of allegation is sent to judicial custody, his entire career would get jeopardized and chances are bright that he may come in contact with hardened criminals.

6. Learned Spl. P.P. for the State, Sri Binay Krishna opposes the prayer for anticipatory bail of the appellant.

7. Considering the aforesaid facts, let the appellant above-named, in the event of his 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) 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.

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

(Satyavrat Verma, J)

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