

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3871 of 2025

Arising Out of PS. Case No.-47 Year-2025 Thana- SC/ST District- Muzaffarpur

Dev Bhushan Pandey Son of Late Maheshwar Pandey Resident of Village -
Akurahan-Kharge, P.S.- Kanti, District - Muzaffarpur (Bihar).

... .. Appellant/s

Versus

1. The State of Bihar
2. Devanti Devi Wife of Bhagirath Ram Resident of Village - Pakhnaha, P.S.-
Minapur, District - Muzaffarpur.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Tejendra Sinha
For the Respondent/s	:	Ms.Usha Kumari 1, Spl. PP Mr. Yugal Kishore, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 05-05-2026 1. Heard learned counsel for the appellant and learned
Spl. P.P. for the State.

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 21-8-2025 in A.B.P. No. 2547 of 2025 passed by the
learned Special Judge S.C./S.T. (POA) Act, Muzaffarpur in
connection with SC/ST P.S. Case No. 47 of 2025, registered for
the offences punishable under Sections 323, 324, 354B, 379 and
34 of the IPC as well as Sections 3(1)(r), 3(1)(s) of the SC/ST
Act.



3. Learned counsel for the appellant submits that appellant is a person with clean antecedent and the informant alleges that the accused persons including the appellant came to her house on 11-12-2022 and asked her to provide a jug with water and two glass for drinking on which she refused when the accused acted inappropriately and abused by taking caste name and on alarm when people gathered, the accused persons left abusing, it is next alleged that the accused had entered into an agreement with her husband and brother-in-law for selling a piece of land in the year 2021 for an amount of Rs. 2.25 lakh out of which Rs. 35 thousand was paid at the time of agreement, but then the appellant did not execute the sale deed.

4. Learned counsel for the appellant submits that the appellant has been falsely implicated in the instant case by the informant. It is next submitted that on account of dispute relating to sell and purchase of land, the present false case came to be instituted after the husband of the informant received the entire consideration back. It is also submitted that informant alleges that the occurrence took place on 11-12-2022 and the FIR came to be instituted on 2-7-2024, i.e., nearly after a delay of two and half years, which casts an aspersion on the case of the prosecution.



5. Learned Spl. P.P. for the State and learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the appellant.

6. 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.

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

(Satyavrat Verma, J)

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