

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4737 of 2024

Arising Out of PS. Case No.-67 Year-2024 Thana- Raghunathpur District- East Champaran

Pawan Kumar @ Pawan Kumar Sahani Son of Bharat Sahani R/O Vill.-
Raghunathpur Baluwa, P.S.- Raghunathpur, Dist.- East Champaran.

... .. Appellant/s

Versus

1. The State of Bihar
2. Rambalak Paswan Son of Late Babulal Paswan R/O Vill.- Raghunathpur
Baluwa, P.S.- Raghunathpur, Dist.- East Champaran.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Prateek Tandon, Adv.

For the Respondent/s : Ms. Usha Kumari 1, Special P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-03-2026 1. Heard learned counsel for the appellant and the
learned Special P.P. Ms. Usha Kumari No.1 for the State. No
one appears on behalf of the respondent no.2.

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 12.09.2024 in A.B.P. No. 3311/2024 passed by the
learned 6th Additional Sessions Judge-cum-Special Judge
POCSO Act, East Champaran at Motihari, in connection with
Raghunathpur P.S. Case No. 67/2024 registered under Sections
137(2), 96, 3(5) of the BNS as well as Sections 3(a)(va), 3(r) (s)



of the SC/ST (POA) Act.

3. Learned counsel for the appellant submits that appellant is a person with clean antecedent and the informant alleges that on 02.07.2024 his minor daughter had gone to attend nature's call at 11.40 P.M., when appellant along with an unknown accused kidnapped his daughter, as informed by his nephew, thus informant went to the house of the appellant, when Bharat abused him by taking caste name and threatened that he will be shot.

4. Learned counsel for the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is next submitted that the victim came back and her statement was recorded under Section 183 BNSS, wherein she has not supported the case of the prosecution nor has even remotely suggested that she was kidnapped/abducted.

5. Learned Special Public Prosecutor opposes the appeal.

6. Considering the submission made by the learned counsel appearing on behalf of the appellant, the appellant, above named, in the event of his 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 bond of



Rs.5,000/- (rupees five thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending 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 this appeal stands allowed.

(Satyavrat Verma, J)

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