

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4095 of 2025

Arising Out of PS. Case No.-99 Year-2025 Thana- BAHADURPUR District- Patna

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1. Pradeep Kumar @ Pradeep Chandrabanshi Son of Bhuneshwar Chandrabanshi @ Bhuneshwar Raam R/o Mohalla - Saidpur Nand Nagar Colony, House No. 14, Ward No. 48, P. S. - Bahadurpur, Dist. - Patna.
 2. Navin Kumar @ Navin Chandrabanshi Son of Bhuneshwar Chandrabanshi @ Bhuneshwar Raam R/o Mohalla - Saidpur Nand Nagar Colony, House No. 14, Ward No. 48, P. S. - Bahadurpur, Dist. - Patna.
- Appellant/s

Versus

1. The State of Bihar
 2. Deepa Kumari W/o Suraj Kumar R/o Mohalla - Saidpur Nand Nagar Colony, House No. 14, Ward No. 48, P. S. - Bahadurpur, Dist. - Patna.
- Respondent/s

Appearance :

For the Appellant/s : Mr. Dilip Kumar Roy, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 06-05-2026 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 29.08.2025 in A.B.P. No. 2642 of 2025 passed by the learned Exclusive Special Judge, SC/ST Act, Civil Court (Sadar) Patna in connection with Bahadurpur P.S. Case No. 99 of 2025 registered under Sections 126(2), 115(2), 109(1), 352



and 3(5) of the BNS as well as Sections 3(i)(r)(s) of the SC/ST Act.

3. Learned counsel appearing on behalf of the appellants submits that appellants are persons with clean antecedent and the informant alleges that accused appellants drank and threatened her and when her son objected, accused threatened him even and made joke relating to caste.

4. 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 bare perusal of the allegation as alleged in the FIR, it would manifest that prima facie no offence under the SC/ST Act is made out as the informant does not allege that she or her son was abused by taking caste name, rather alleges that appellants after drinking threatened but what kind of threat is given is also not alleged in the FIR but then it is submitted that the police in a mechanical manner investigated the case and submitted charge-sheet based on which cognizance came to be taken in a mechanical manner.

5. 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 and submits that since cognizance has been taken that amply demonstrates that a



prima facie offence is made out on which learned counsel appearing on behalf of the appellants submits that merely because cognizance has been taken, the Court will not ignore the allegation as alleged in the FIR.

6. After hearing the learned counsel for the parties, the Court was inclined to grant the privilege of anticipatory bail to the appellants but since cognizance has been taken, as such, the appeal is disposed of with a direction to the appellants to surrender before the learned trial court on 14.05.2026. If the appellants surrender on 14.05.2026, the learned trial court shall consider and dispose of the case on the same day keeping in mind the observations of the Court made hereinabove.

(Satyavrat Verma, J)

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