

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4090 of 2025

Arising Out of PS. Case No.-160 Year-2025 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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1. Dhiraj Kumar Singh @ Dhiraj Singh S/O Jagdish Prasad Singh Resident of Village- Bharouli, P.S- Sonbarsa Kachahari, District- Saharsa.
 2. Shivam Kumar @ Nanku Kumar Singh S/O Dhiraj Kumar Singh @ Dhiraj Singh Resident of Village- Bharouli, P.S- Sonbarsa Kachahari, District- Saharsa.

... .. Appellant/s

Versus

1. The State of Bihar
2. Sandeep Kumar @ Sandeep Paswan S/O Akhilesh Paswan R/O Village- Sitanabad, Ward No. 01, Under Gram Panchayat Sitanabad Utari, P.S- Bakhtiyarpur, Distt.- Saharsa.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Amit Kumar Singh
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 05-05-2026 Heard learned counsel for the appellants, learned Spl.
P.P., Mr.Binay Krishna, appearing for the State.

2. This appeal is an Appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the rejection of prayer for bail vide order dated 28.08.2025, passed by learned Additional District and Sessions Judge-I-cum-Special Judge (SC/ST), Saharsa, in connection with Bakhtiyarpur (B.K.P.) P.S. Case No. 160 of 2025, registered for the offence punishable under Sections 126(2), 115(2), 109, 74, 352, 351(2), 3(5) of BNS and Sections 3(1)(s) of SC/ST (POA) 1989.



3. The learned counsel appearing on behalf of the appellants submits that informant despite receiving notice chooses not to appear and contest. It is next submitted that appellants are persons with clean antecedent and the informant alleges that named accused persons including the appellants came on 15.05.2025 in between 8.30 A.M. 9 A.M. to his house and Dhiraj abused by taking caste name and demanded Rs. 50,000/- on the pretext that informant earns a lot, on which informant objected, when Dhiraj said to pay Rs.25,000/- which accrued on account of interest, on which the informant said that he had already paid Rs.10,000/- and is not in a position to pay interest, on which all the accused abused and dashed him and acted inappropriately with his wife.

4. The learned counsel appearing on behalf of the appellants submits that the appellants have been falsely implicated in the instant case by the informant, it is next submitted from perusal of the allegation as alleged in the F.I.R., it was manifest that the dispute relates to money as informant himself alleges that Dhiraj asked him to pay Rs. 25,000/- which had accrued on account of interest but informant said that he had already paid Rs. 10,000/-, it is further submitted that even presuming what has been alleged is too without admitting then the entire occurrence took place at the house of the informant, thus was not in public view, it is also



submitted that allegation of abuse and assault is general and omnibus in nature, it is next submitted that as far as allegation of acting inappropriately with wife of the informant is concerned, the same is ornamental, it is next submitted that this perhaps explain why informant despite receiving notice chooses not appear and contest

5. The learned A.P.P. for the State vehemently opposes the prayer for bail.

6. This appeal is allowed and the impugned order is set aside. Let the appellants, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.5,000/- (Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-I-cum-Special Judge (SC/ST), Sharsa, in connection with Bakhtiyarpur (B.K.P.) P.S. Case No. 160 of 2025.

(Satyavrat Verma, J)

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