

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4151 of 2025

Arising Out of PS. Case No.-44 Year-2025 Thana- SC/ST District- East Champaran

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1. Ram Babu Roy @ Ram Babu Rai S/o Vasadev Roy @ Late Vasu Dev Rai
Resident of Village - Madhuaha Mal, Post - Tetariya, P.S - Rajepur, District -
East Champaran
 2. Lal Babu Rai @ Lal Babu Ray S/o Vasadev Roy @ Late Vasu Dev Rai
Resident of - Ward No. 4, Madhuaha Mal, Post - Tetariya, P.S - Rajepur,
District - East Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Sunil Kumar Chaudhary S/o Yogilal Chaudhary R/o Village - Tajpur Saraiya,
P.O - Tetaria, P.S - Rajepur, District - East Champaran

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Subham Singh, Advocate
For the Respondent/s : Ms. Usha Kumari No. 1, Special P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 23-06-2026 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 10.07.2025 in
A.B.P. No. 2511 of 2025 passed by the learned 1st Additional
Sessions Judge-cum-Special Judge, SC/ST (POA) Act, East
Champaran at Motihari in connection with Motihari SC/ST P.S. Case
No. 44 of 2025 registered under Sections 126(2), 115(2), 117(2), 352,
351(2) and 3(5) of the BNS as well as Sections 3(1)(r)(s) of the



SC/ST Act.

3. Learned counsel appearing on behalf of the appellants submits that the defects, as pointed out by the office, stand removed. It is further submitted that appellants are persons with clean antecedent and the informant alleges that on 09.05.2025, he had gone to attend the marriage ceremony at the house of Raghunath Rai where Ravi and Raja came and demanded to play obscene songs by the orchestra which was objected by Raghunath Rai and the informant on which they abused him by taking caste name but the issue was pacified. Further, on 10.05.2025, at 04:45 a.m., when the informant was going to his home from the marriage ceremony when he was intercepted by Ravi and Raja and Rambabu along with Lalbabu also came and Ravi assaulted the informant by lathi causing injury on thigh and knees and Raja assaulted him by lathi causing injury on his another thigh while the accused persons abused him.

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 perusal of the allegation as alleged in the FIR, it would manifest that specific allegation of assault is against Ravi and Raja and as far as the appellants are concerned, the allegation of abuse against them is general and omnibus in nature. It is next submitted that even the FIR does not even remotely suggest that the occurrence was witnessed by any independent witnesses.



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 but then are not in a position to rebut the submissions of the learned counsel appearing on behalf of the appellants that specific allegation of assault is against Ravi and Raja.

6. Learned Special Public Prosecutor for the State opposes the prayer for anticipatory bail of the appellants.

7. Considering the submissions made by the learned counsel appearing on behalf of the appellants, let the appellants, above-named, in the event of their 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 bonds of Rs.5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

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

(Satyavrat Verma, J)

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