

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4174 of 2025

Arising Out of PS. Case No.-274 Year-2024 Thana- MADHUBAN District- East Champaran

Anuj Singh S/o Late Kameshwar Singh Resident of Village - Delho, P.S -
Madhuban, District - East Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Mintu Paswan S/o Babulal Paswan R/o Village - Delho, P.S - Madhuban,
District - East Champaran

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Nachiketa Jha

For the Respondent/s : Ms. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 11-05-2026 1. Heard learned counsel for the appellant and learned
Special Public Prosecutor 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 20.03.2025 in A.B.P. No. 656 of 2025 passed by the learned Special Judge, SC/ST (POA) Act, East Champaran at Motihari in connection with Madhuban P.S. Case No. 274 of 2024 registered under Sections 126(2), 115(2), 109, 303(2), 352, 351(1) 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 appellant submits that informant despite receiving notice chooses not to appear and contest. It is next submitted that appellant is a person with clean antecedent and the informant alleges that on 02.07.2024, he was intercepted by the accused persons including the appellant while he was coming home on his bicycle and appellant assaulted him by Dabiya causing injury on his head and all accused also abused by taking caste name and Alok threatened with pistol and snatched his chain while Vijay took Rs.3,000/- from his pocket.

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 though it is alleged that appellant assaulted the informant by Dabiya causing injury on head but then the appellant asserts and submits that he had not assaulted the informant. It is further submitted that even the case has been compromised in between the parties as stands recorded in the order impugned and this perhaps explains why the informant despite receiving notice chooses not to appear and contest.

5. Learned Special Public Prosecutor opposes the prayer for anticipatory bail and submits that compromise



petition is not on record but then is not in a position to rebut the submission of the learned counsel appearing on behalf of the appellant that order impugned records that it was submitted that parties have compromised the case, on which, the learned Special P.P. submits that the appellant is alleged to have assaulted the informant by Dabiya causing injury on head.

6. After hearing the learned counsel for the parties, the order impugned is set side and 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 **Provisional anticipatory bail** on furnishing bail bond of Rs.10,000/- (rupees ten 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. It is further made clear that thereafter the learned trial court shall issue notice to the informant or shall get the informant communicated through his learned lawyer to appear before the learned trial court and if the informant acknowledges that compromise has been arrived at, in that event, the provisional anticipatory bail granted to the appellant shall be confirmed forthwith but if the informant denies the compromise,



in that event, the provisional anticipatory bail bonds shall not be confirmed and as such the present order shall not be given effect to.

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

(Satyavrat Verma, J)

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