

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4140 of 2025

Arising Out of PS. Case No.-8 Year-2025 Thana- KUMAR KHAND District- Madhepura

1. Surendra Prasad S/o Late Siyaram Yadav Resident of Village- Jumuaha, ward No 05, PS- Belari (Kumarkhand), Distt-Madhepura
2. Satyajit Kumar @ Satyajit Prasad @ Sintu S/o Surendra Prasad Resident of Village- Jumuaha, ward No 05, PS- Belari (Kumarkhand), Distt-Madhepura
3. Ajit Prasad @ Nitu S/O Surendra Prasad Resident of Village- Jumuaha, Ward No 05, PS- Belari (Kumarkhand), Distt-Madhepura

... .. Appellant/s

Versus

1. The State of Bihar
2. Saurabh Kumar S/O Binod Paswan Resident of Shiv Nagar Jumuaha, Ward No 05, PS - Belari, Distt. - Madhepura

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Bambahadur Jha, Advocate
For the State	:	Mr. Usha Kumari No. 1, Spl.P.P.
For the Informant	:	Mr. Pawan Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 04-02-2026 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 09.09.2025 in A.B.P. No. 1071 of 2025 passed by the learned 1st Additional District & Sessions Judge-cum-Special Judge, SC/ST (POA) Act, Madhepura in connection with Kumarkhand (Belari) P.S. Case No. 08 of 2025 registered



under Sections 103(1) and 3(5) of the BNS as well as Sections 3(2)(v) of the SC/ST Act.

3. Learned counsel appearing on behalf of the appellants submits that appellant no. 1 and 2 have antecedent of nine cases and appellant no. 3 has antecedent of five cases and the informant alleges that appellants were cutting soil of his land, accordingly, he along with his grandmother came to the place of occurrence and his grandmother objected on which appellants assaulted her leading to death.

4. Learned counsel appearing on behalf of 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 allegation of assault is not specific. It is next submitted that on account of dispute relating to land, the occurrence is alleged to have taken place.

5. Learned Special Public Prosecutor and learned counsel appearing on behalf of the informant vehemently opposed the prayer for anticipatory bail of the appellants and submits that appellants are criminals and they were trying to usurp the land of the informant and when the same was objected by the grandmother of the informant, she was assaulted leading



to her death. It is further submitted that investigation in the case is continuing and if the privilege of anticipatory bail is granted to the appellants, the appellants may abscond as they are criminals.

6. Considering the submissions made by the learned Spl.P.P. for the State and learned counsel appearing on behalf of the informant and also taking into consideration the criminal antecedent of the appellants and the fact that grandmother of the informant died, the Court is not inclined to extend the privilege of anticipatory bail to the appellants.

7. Hence, the prayer for anticipatory bail is rejected.

(Satyavrat Verma, J)

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