

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4292 of 2025

Arising Out of PS. Case No.-28 Year-2025 Thana- SC/ST District- Rohtas

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1. Aprendra Ray S/o Bigan Ray Resident of Village - Nawadih, Police Station- Akorhigola, District- Rohtas
 2. Harendra Ray S/o Bigan Ray Resident of Village - Nawadih, Police Station - Akorhigola, District - Rohtas

... .. Appellant/s

Versus

1. The State of Bihar
2. Chandeshwar Ram S/o Late Ramrup Ram R/o Village - Nawadih, P.O.- Gamhariya, P.S.- Akorhigola, District - Rohtas

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Raghunandan Kumar Singh
For the Respondent/s : Ms. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 11-05-2026 1. Heard learned counsel for the appellants and the learned Special P.P. 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 11.05.2025 passed by the learned Special Judge SC/ST Act, Rohtas at Sasaram in connection with Dehri SC/ST P.S. Case No. 28/2025, registered under Sections 126(2), 115(2), 74, 352, 351(2), 3(5) of the BNS, 2023 as well as Sections 3(i) (r)(s), (w), and 3(2)(va) of the SC/ST Act.



3. Learned Special P.P. submits that in compliance of the order dated 23.02.2026, the concerned S.P. was communicated about the pendency of the appeal and was requested to inform the informant through the concerned P.S. It is submitted that the informant has been intimated about the pendency of the present appeal and the next date fixed but then it appears that informant despite receiving notice chooses not to appear and contest.

4. Learned counsel for the appellant submits that appellants are persons with clean antecedent and the informant alleges that on 11.05.2025 at 8 P.M. his wife was going to her *dalan* with cow-dung when accused persons including the appellants intercepted her and abused by taking caste name and said that they will not allow her to carry cow-dung through the road, on protest, Harendra and his wife dragged her on the ground and Aprendra assaulted by fist and leg, further Harendra with bamboo assaulted the informant on his back and chest while Aprendra and Sagar pushed him on a barbed wire.

5. Learned counsel for the appellants submits that appellants have been falsely implicated in the instant case by the informant. It is next submitted that side of the appellants having dispute relating to land with the informant and Harendra had



filed an application before the Circle Officer for measurement of land as would manifest from Annexure-4 to the appeal. It is further submitted that on account of dispute relating to land, an altercation took place and thereafter the instant FIR came to be instituted with exaggerated allegation. It is also submitted that allegation of abuse is general and omnibus in nature and as far as allegation of assault is alleged, the same is also exaggerated. It is further submitted that since an altercation took place as such both side assaulted each other leading to injury on both side and the assault was not committed for the reason that informant and his wife belonged to SC community but for the reason of land dispute as recorded hereinabove. It is next submitted that this perhaps explains why the informant despite receiving notice chooses not to appear and contest.

6. Learned Special Public Prosecutor opposes the appeal.

7. Considering the submissions of the learned counsel for the appellants, the order impugned is set aside and 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 bond of Rs.5,000/- (rupees five 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.

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

(Satyavrat Verma, J)

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