

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4372 of 2025

Arising Out of PS. Case No.-150 Year-2025 Thana- ROHTAS District- Rohtas

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1. Baby Khatoon @ Bebee W/O Tauquir Khan R/O Vill.- Sundarganj, P.S.- Rohtas, Dist.- Rohtas
 2. Badal Khan S/O Mustkim Khan R/O Vill.- Sundarganj, P.S.- Rohtas, Dist.- Rohtas

... .. Appellant/s

Versus

1. The State of Bihar
2. Armod Chaudhary (Pasi), son of Late Nathuni Chaudhary, resident of Village: Sundarganj, P.S.+District: Rohtas

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Dharmendra Kumar Singh, Advocate Mr. Sada Nand Roy, Advocate
For the State	:	Mr. Binay Krishna, Spl. PP
For the Informant	:	Mr. Rajani Kant Singh, Advocate Mr. Amit Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 23-02-2026 Heard learned counsel for the appellants, for the informant and learned APP 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 against the rejection of prayer for bail *vide* order dated 20.09.2025 passed by the learned Special Judge, SC/ST (POA) Act, 1989, Sasaram, Rohtas in connection with Rohtas P.S. Case No. 150 of 2025, registered for the offences punishable under Sections 115(2), 117(2), 118(1), 109(1), 329(2), 74, 303(2), 352 and 191(3) of the Bharatiya Nyaya Sanhita and Sections 3(1)(r), 3(i)(s) and 3(ii)(va) of the SC/ST (POA) Act.

3. As per the prosecution case, the allegation against the



appellants is that appellant no. 1 had pulled the wife of the informant by catching her hair, while appellant no. 2 is said to be the member of the mob.

4. Learned counsel for the appellants submits that the appellants have falsely been implicated and no such occurrence, as alleged, has taken place. It is submitted that the specific allegation of assault is against Ali Hussain and Tauqir Khan in which the injuries were found to be grievous. It has further been submitted that there is no specific allegation of overt act against appellant no. 2 namely Badal Khan. It has lastly been submitted that the appellants have clean antecedents.

5. Learned Additional Public Prosecutor for the State as well as the learned counsel for the informant have vehemently opposed the prayer for anticipatory bail of the appellants and have submitted that the appellants were also part of the mob which had attacked the informant and others and therefore, they should not be released on anticipatory bail. It has lastly been submitted that the informant has sustained grievous injuries.

6. Considering the facts and circumstances of the case the appellants are directed to be released on anticipatory bail, in the event of their arrest or surrender before the court below within a period of four weeks from today, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties



of the like amount each to the satisfaction of the learned Special Judge, SC/ST (POA) Act, 1989, Sasaram, Rohtas in connection with Rohtas P.S. Case No. 150 of 2025, subject to the conditions as laid down under Section 482 of the BNSS as well as subject to the following conditions:

(i) One of the bailors will be a close relative of the appellants and the other shall be a local resident;

(ii) the appellants will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the appellants will liable to be cancelled by the Court concerned;

(iv) the Court below shall verify the criminal antecedent of the appellant and in case at any stage, it is found that the appellant has concealed his criminal antecedent, the court below shall take step for cancellation of bail bonds of the appellant. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.

(v) The appellants shall in no manner threaten or try to contact or influence the informant.

7. Accordingly, the impugned order dated 20.09.2025 is set aside and the present appeal stands allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during trial.

(Sourendra Pandey, J)

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