

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4447 of 2025

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

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1. Ramesh Prasad Sinha S/O Late Narsingh Narayan Lal Resident of Near Gauri Shankar Mandir, Gaighat, P.S.- Alamganj, District- Patna
 2. Punam Devi W/O Ramesh Prasad Sinha Resident of Near Gauri Shankar Mandir, Gaighat, P.S.- Alamganj, District- Patna
 3. Atul Kumar Sinha @ Atul Kr. S/O Ramesh Prasad Sinha Resident of Near Gauri Shankar Mandir, Gaighat, P.S.- Alamganj, District- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Jyoti Kumari D/O Naresh Paswan At Present R/O Musallampur Hat, P.S.- Pirbahore, Dist.- Patna.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Kumod Kumar Shrivastaw, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 28-01-2026 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 30.08.2025 in A.B.P. No. 3384 of 2025 passed by the learned Exclusive Special Judge, SC/ST Act, Civil Court Patna Sadar in connection with Patna SC/ST P.S. Case No. 44 of 2025 registered under Sections 126(2), 115(2), 352, 351(2),



351(3), 85 and 3(5) of the BNS, Sections 3(1)(r)(s)(w) and 3(2) (va) of the SC/ST Act as well as Sections 3 and 4 of the Dowry Prohibition Act.

3. Learned counsel for the appellants submits that appellants are persons with clean antecedent and the informant alleges that she was married in the year 2014 but her marriage broke thereafter she came in contact with Ritesh and married him in a temple on 29.02.2021 in presence of his friends Sonu and Neha thereafter Ritesh took her to his house but his parents ousted her from the house on the ground that she belongs to low caste thereafter Ritesh kept her in a rented house for five years where she became pregnant twice but Ritesh got the pregnancy aborted. Further, in 2025 Ritesh for two months did not come to the rented premises and on inquiry, it transpired that he is getting married at the behest of his parents, accordingly, she came to the house of Ritesh on 02.06.2025, at 09:30 a.m., when his parents abused her by taking caste name and assaulted and ousted her from the house and brother of Ritesh, namely, Atul Kumar Sinha @ Atul Kr. (appellant no. 3) also abused her on phone.

4. Learned counsel for the appellants submits that appellants have been falsely implicated in the instant case by the



informant being the father, mother and brother of Ritesh. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that she was earlier married in the year 2014 but then her marriage broke. It is next submitted that the FIR does not even remotely suggest whether the informant divorced her earlier husband or not. It is also submitted that though in the FIR, it is alleged that Ritesh stayed with her in a rented premises for five years but then neither the name of the landlord is disclosed nor the address of the house where she stayed on rent is recorded in the FIR. Further the informant also does not disclose the month in which Ritesh did not come to meet her. It is further submitted that appellants have been implicated only with a view to coerce Ritesh into submission. It is next submitted that even presuming what has been alleged is true without admitting then the entire occurrence took place at the house of Ritesh, thus, was not in public view. It is also submitted that prima facie no offence is made out against Atul Kumar Sinha @ Atul Kr. (appellant no. 3) even if he is alleged to have abused the informant on phone, since, the same also was not in public view.

5. Learned Special Public Prosecutor and the learned counsel appearing on behalf of the informant opposed the prayer



for anticipatory bail of the appellants.

6. Considering the submissions aforesaid, let the appellants, above named, in the event of their arrest or surrender before the learned Trial Court 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 Code of Criminal Procedure/482(2) of the BNSS.

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

(Satyavrat Verma, J)

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