

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No. 4571 of 2025

Arising Out of PS. Case No.-414 Year-2024 Thana- CHENARI District- Rohtas

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Lalan Singh Chandrabansi @ Lalan Prasad S/O Ramkrit Kahar R/o Vill.-
Kekai, P.S - Shivsagar, District - Rohtas

... .. Appellant

Versus

The State of Bihar BIHAR

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Binod Murari Mishra, Advocate
For the State	:	Mr.Binay Krishna, Spl.PP
For the Respondent No.2 :		Mr. Chhotelal Mishra, Advocate, Ms. Jyoti Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 22-06-2026 Heard the parties.

2. The appellant has preferred the present appeal under Section 14A (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (for short 'the Act') against the order dated 20.09.2025 passed by the learned Special Judge SC/ST Act Rohtas at Sasaram, in connection with Chenari P.S. Case No. 414 of 2024 registered under Sections 126(2), 115(2), 74, 303(2), 351(2), 352, 3(5) of the B.N.S and section 3(1) (r), 3(1) (s), 3(ii) (va) of the SC/ST Act.

3. Present appeal is well within limitation as prescribed under Section 14A(3) of the Act.



4. As per FIR, the appellant alleged to assault the informant and his family members by using *lathi,danda* etc. causing head and bodily injury and also abused informant and family members by using caste name.

5. Learned counsel appearing for the appellant submitted that the present criminal prosecution was initiated in the background of the land disputes, for which a title suit no. 1890/2024 is pending before learned trial court. It is submitted that the appellant side also received injuries during the course of occurrence for which a case was lodged at the same police station prior to the present FIR which was registered as Chenari P.S Case No 412 of 2024. It is also pointed out that during the course of occurrence no third person was available and the occurrence took place between the parties and their family members, therefore, it can be safely said that even if any abuse was made on caste name, same was not made in a public view, therefore, a prima facie case under SC/ST Act does not appears to be made out. The appellant claims clean antecedent. In support of aforesaid submission, learned counsel relied upon the legal report of



**Hitesh Verma Vs. State of Uttarakhand and Another
[(2020) 10 SCC 710] and Gulam Mustafa Vs. State of
Karnataka & Anr. [(2023) SCC OnLine SC 603].**

6. Learned Special PP, Mr. Binay Krishna, duly assisted by the learned counsel for informant, Mr. Chhotelal Mishra, while opposing the prayer of bail as raised through present appeal, submitted that the appellant abused the informant and his family members by their caste name. It is also submitted that the injury was caused by appellant on the vital parts of her body during the course of occurrence, however, he fairly conceded that for the same set of occurrence, the appellants side has also lodged a case as submitted aforesaid and also, a title suit is pending between the parties.

7. In view of aforesaid factual and legal submissions and by taking note of the fact, as the occurrence *prima facie* appears free fight in nature, where both parties received injuries, where occurrence admittedly took place in the background of land dispute for which title suit is pending between the parties, accordingly, above-named appellant in the event of his arrest or surrender before the learned trial Court, within a period of



four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge SC/ST Act Rohtas at Sasaram/concerned Court, where the case is pending in connection with in connection with Chenari P.S. Case No. 414 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. Accordingly, impugned order dated 20.09.2025 is hereby set aside/quashed.

9. Hence, appeal stands allowed.

(Chandra Shekhar Jha, J)

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