

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5379 of 2024

Arising Out of PS. Case No.-29 Year-2023 Thana- PANAPUR District- Saran

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1. Kanchan Devi W/O Late Devendra Singh R/O Village- Pipra, Post- Satjora, P.S- Panapur, District- Saran at Chapra.- 841410.
 2. Pritam Kumar Singh @ Pritam Singh S/O Rakesh Singh R/O Village- Pipra, Post- Satjora, P.S- Panapur, District- Saran at Chapra.- 841410.
 3. Chandra Shekhar Singh S/O Haribansh Narayan Singh @ Haribansh Singh R/O Village- Sishai, P.O- Dumarsan Bangra, P.S- Mashrakh, District- Saran at Chapra.-841410.
 4. Rohit Kumar @ Rohit Singh S/O Chandra Shekhar Singh R/O Village- Sishai, P.O- Dumarsan Bangra, P.S- Mashrakh, District- Saran at Chapra.- 841410.
 5. Gavaskar Singh S/O Harbansh Narayan Singh @ Haribansh Singh R/O Village- Sishai, P.O- Dumarsan Bangra, P.S- Mashrakh, District- Saran at Chapra.-841410.
 6. Dhrup Kumar Singh @ Dhrup Singh S/O Mahant Singh R/O Village- Narottam, P.O- Satjora, P.S- Panapur, Distt.- Saran at Chapra- 841410.
 7. Sunny Kumar Giri @ Sunni Giri S/O Lalbabu Giri R/O Village and Post- Dubauli, at present Village and Post Office- Satjora, P.S- Panapur, Distt.- Saran at Chapra.
 8. Viccky Singh @ Ranjan Kumar S/O Manoj Singh R/O Village and P.O- Sareyan Basant, P.S- Tariaya, Distt.- Saran at Chapra- 841401.

... .. Appellant/s

Versus

1. The State of Bihar
2. Geeta Devi W/O Santosh Nut R/O Village- Bagdiha, P.O- Satjora, P.S- Panapur, Distt.- Saran at Chapra- 841410.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Jeetendra Narayan, Advocate
For the Respondent/s : Mr. Binay Krishna, Special PP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 25-06-2026

1. Heard learned counsel for the appellants and



learned Special P.P. for the State, Mr. Binay Krishna.

2. No one appears on behalf of the informant despite notice being validly received by respondent no. 2, as would manifest from the office report dated 19.06.2026.

3. 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 01.10.2024 in A.B.P. No. 3518 of 2024 passed by the learned Exclusive Special Judge S.C./S.T. (POA) Act, Saran at Chapra in connection with Panapur P.S. Case No. 29 of 2023 registered for the offences punishable under Sections 341, 323, 354(B), 504 and 34 of the Indian Penal Code as well as Section 3(1)(r)(s) of the SC/ST Act.

4. Learned counsel for the appellants submits that appellant nos. 1, 2, 4, 6 and 8 have antecedent of one case, appellant no. 3 has antecedent of three cases, while appellant no. 5 has antecedent of seven cases and appellant no. 7 is a person with clean antecedent.

5. At this stage, the learned Special PP submits that charge sheet has been submitted based on which cognizance came to be taken, as such, a *prima facie* offence is made out



against the appellants.

6. The learned counsel appearing on behalf of the appellants does not dispute the said submissions made by the learned Special P.P., but then submits that the offences for which cognizance has been taken under the sections of I.P.C. are bailable except Section 354(B) I.P.C. It is further submitted that informant is Up-Mukhiya while appellant no.1 is Mukhiya of the Panchayat and the audit team had visited the Panchayat Sarkar Bhawan for the purposes of audit when informant also came and wanted the audit to be done in a particular manner which was objected by the appellant no.1, when an altercation took place and thereafter the instant FIR came to be instituted with exaggerated allegations alleging that Gavaskar Singh was carrying arms and gave orders to assault and thereafter the accused persons assaulted her husband and confined the informant in a room and thereafter Gavaskar Singh tore her clothes.

7. The learned counsel appearing on behalf of the appellants further submits that from perusal of the allegations as alleged in the FIR, it would manifest that as far as other appellants are concerned apart from Gavaskar Singh, no specific allegation of abuse and assault is alleged. It is next submitted



that police after investigation submitted final form exonerating the appellants of the allegations as alleged in the FIR and thereafter cognizance came to be taken, it is thus submitted that when one investigating agency after threadbare investigation came to a considered conclusion that appellants are innocent whether it would be prudent for the Court to send the appellants to jail based on an order of cognizance which came to be taken based on the same police report which had exonerated the appellants of the allegations. It is further submitted that this perhaps explains why respondent no. 2 despite receiving notice chooses not to appear and contest.

8. After hearing the learned counsel for the parties, the Court was inclined to extend the privilege of anticipatory bail to the appellants, but since cognizance has been taken, as such, **the appeal is disposed of** with a direction to the appellants to surrender before the learned Trial Court on 14.07.2026.

9. It is made clear that if the appellants surrender before the learned Trial Court on 14.07.2026, in that event the learned Trial Court shall consider and dispose of the case on the same day keeping in mind the observations made by this Court as recorded hereinabove and also the fact that police after



investigation submitted final form exonerating the appellants of
the allegation.

(Satyavrat Verma, J)

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