

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4557 of 2025

Arising Out of PS. Case No.-816 Year-2024 Thana- SAHARSA SADAR District- Saharsa

1. Prashant Kumar S/O Sajan Singh R/O Village- Dhanchhoha, P.S- Baijnathpur, District.- Saharsa.
2. Sajan Kumar @ Sajan Singh S/O Suresh Prasad Singh R/O Village- Dhanchhoha, P.S- Baijnathpur, District.- Saharsa.

... .. Appellant/s

Versus

1. The State of Bihar
2. Suman Kumar S/O Rajkishor Paswan Presently R/O C/O Ashok Chaudhary, Khantar Chaowk, P.S and Distt.- Saharsa. Permanent R/O Village- Chirori, P.O and P.S- Chausa, Distt.- Madhepura.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Dinkar Kumar, Advocate
		Mr. Ajit Kumar, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 23-02-2026 Heard learned counsel for the parties.

2. The instant appeal has been preferred against the order dated 28.8.2025 passed in A.B.P no.419 of 2025 by the learned Additional Sessions Judge-I-cum-Special Judge, SC and ST Act, Saharsa and for grant of anticipatory bail in connection with Saharsa Sadar P.S. Case no.816 of 2024 registered under sections 406, 420, 504, 506 and 34 of the Indian Penal Code and section 3(1)(r)(s) of the SC and ST (Prevention of Atrocities) Act, 1989.

3. As per the prosecution case, the informant states that the appellants took a total of Rs. 1,40,000/- by way of loan



and inspite of repeated request, they were not ready to return the same. Finally, he was abused by the appellants on mobile phone in the name of his caste. The appellants giving threats stated that he may take whatever steps he wanted to.

4. Learned counsel for the appellants submits that the appellants have been falsely implicated in the case. The matter relates to purely a civil dispute relating to transaction of money. The matter has in fact been settled between the parties, which would be evident from the petition dated 25.7.2025 (Annexure-2) filed by the informant in the learned trial Court to bring an end to the litigation. The appellants have no criminal antecedent and undertake to cooperate in the case.

5. The appeal is opposed by learned Spl.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR whereby it is stated that whatever threats etc as also aspersions in the name of caste were given, it was over a telephone and not in public view together with the nature of allegations in the FIR, the matter having been settled as evident from Annexure-2 and the appellants not having any criminal antecedent, in the facts of the case, the Court is inclined to allow the instant appeal.



7. The appeal is allowed and the order dated 28.8.2025 passed in A.B.P no.419 of 2025 by the learned Additional Sessions Judge-I-cum-Special Judge, SC and ST Act, Saharsa is hereby set aside.

8. It is directed that both the appellants above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Saharsa Sadar P.S. Case no.816 of 2024 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I-Cum-Special Judge, SC and ST Act, Saharsa.

9. It may be observed here that in case the matter has not been settled between the parties, as stated on behalf of the appellants, it will be open for the respondent no.2 to move this Court within 3 months for cancellation of bail of the appellants.

(Partha Sarthy, J)

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