

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4687 of 2025

Arising Out of PS. Case No.-81 Year-2024 Thana- SC/ST District- East Champaran

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1. Pintu Kumar Singh @ Pintu Kumar S/o- Krishna Kunwar Village- Hardibad, P.S- Pipra, Dist- East Champaran
 2. Amit Kumar singh S/o- Vinod Singh Village- Hardiyabad, P.S- Pipra, Dist- East Champaran
 3. Tanwir Alam @ Md. Tanwir Alam S/o- Md. Sabbir @ Md. Sabbir Ali Village- Hardiyabad, P.S- Pipra, Dist- East Champaran
 4. Md. Sahid Raja S/o- Wakil Ahmad Village- Hardiyabad, P.S- Pipra, Dist- East Champaran
 5. Rahul Kumar Singh @ Manish Kumar Singh S/o- Kameshwar Singh Village- Hardiyabad, P.S- Pipra, Dist- East Champaran
 6. Ranjan Kumar Singh S/o- Ram Jatan Singh Village- Sirsiya, P.S- Pipra, Dist- East Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Chanda Devi W/o- Naresh Paswan R/v- Lakhni Ps- Pipra Dist- Motihari

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr/s. Rasika, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Special PP
For the Informant	:	Mr. Mohan Kumar Tiwari, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 01-07-2026 1. Heard learned counsel for the appellants, learned Special P.P. for the State, Mr. Sadanand Paswan and the 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 20.09.2025 in A.B.P. No. 4468 of 2025 passed by the learned Exclusive Special Judge S.C./S.T. (POA) Act, East Champaran, Motihari in connection with Motihari SC/ST P.S. Case No. 81 of 2024 registered for the offences punishable under Sections 115(2), 126(2), 118, 329(3), 74, 351(2), 352 and 3(5) of the BNS, 2023 as well as Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the SC/ST Act.

3. Learned counsel for the appellants submits that appellant nos. 1 and 4 have antecedent of one case, appellant nos. 2, 3 and 5 are persons with clean antecedent and appellant no. 6 has antecedent of three cases. It is next submitted that informant alleges that she along with her husband were in their house when on 28.11.2024 at 08:30 PM, Anil, Raushan, Ranjan, Pintu, Amit, Rahul, Tanvir and Md. Sahid Raza came to her house after Anil Singh won PACS election, further the accused persons abused by taking caste name and on orders of Anil, all the accused persons started assaulting her husband and Raushan assaulted her husband by rod causing injury on head while Amit tore her cloths.

4. Learned counsel for the appellants submits that appellants have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the



allegation as alleged in the FIR, it would manifest that on account of dispute relating to election, the occurrence is alleged to have taken place. It is further submitted that even presuming what has been alleged is true without admitting then the entire occurrence took place at the house of the informant and thus was not in public view. It is also submitted that as far as allegation of abuse and assault is alleged, the same is general and omnibus in nature. It is next submitted that it does not appear probable that all accused in one go would have abused the informant and her husband by taking caste name. It is also submitted that though it is alleged that Raushan assaulted her husband causing injury on head, but then there is no injury report on record nor the order impugned records about the injury. It is further submitted that the order impugned in mechanical manner rejected the anticipatory bail application of the appellants. It is also submitted that Raushan is not an appellant in the instant appeal. It is further submitted that process under Section 82 Cr.P.C. has been issued against Ranjan (appellant no. 6), but then Ranjan never received any summon,ailable warrants or non-ailable warrants nor there is any service report of the summons on record. It is next submitted that a quashing application has been filed before this Court



seeking quashing of the order by which process under Section 82 Cr.P.C was issued against Ranjan and the same is pending adjudication before this Court.

5. Learned Special P.P. for the State and the learned counsel appearing on behalf of the informant opposes the appeal, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the appellants that the occurrence did not take place in public view and allegation of abuse is general and omnibus in nature and specific allegation of assault is against Raushan who is not an appellant in the instant appeal.

6. On query of the Court from the learned counsel appearing on behalf of the informant that what is the nature of injury suffered by the husband of the informant, on which it is fairly submitted that there is no injury report on record.

7. After hearing the learned counsel for the parties and taking into consideration the submissions made by the learned counsel for the appellants, the order dated 20.09.2025 in A.B.P. No. 4468 of 2025, **is hereby set aside** and the appellants above-named, in the event of their arrest or surrender within a period of six weeks from today, 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/successor court in connection with Motihari SC/ST P.S. Case No. 81 of 2024 subject to the conditions as laid down under Section 482 (2) of the BNSS.

8. Accordingly, the appeal stands allowed.

(Satyavrat Verma, J)

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