

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4561 of 2025

Arising Out of PS. Case No.-505 Year-2025 Thana- ARA NAGAR District- Bhojpur

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1. Basant Singh @ Basant Kumar Singh S/o Shyam Behari Singh R/o Mohalla - D.P.S School, Chandni Road (Chandmari), P.O and P.S - Danapur, District - Patna, Pin - 801503 Presently posted as - Branch Manager, H.D.F.C Bank, Sapna Cinema More Branch, Ara, P.S - Ara (Town), District - Bhojpur (Bihar)
 2. Manoj Singh @ Manoj Kumar Singh S/o Late Sri Bhagwan Singh R/o Village - Gausganj, P.S - Ara Town, District - Bhojpur (Bihar)

... .. Appellant/s

Versus

1. The State of Bihar
2. Usha Devi W/o Sudama Paswan R/o Mohalla - Singh Colony, Mirganj, Ara, P.S - Ara Town, District - Bhojpur (Bihar)

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Uday Kumar, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Special PP
For Respondent No. 2	:	Mr. Om Prakash Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 02-02-2026 1. Heard learned counsel for the appellants, learned Spl. P.P. for the State, Mr. Sadanand Paswan and the learned counsel appearing on behalf of the respondent no. 2.
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 09.10.2025 in A.B.P. No. 2530 of 2025 passed by the learned 1st Additional Sessions Judge, Bhojpur at Ara in connection with Ara Town P.S. Case No. 505 of 2025 registered for the offences punishable under



Sections 74, 64 and 3(5) of the BNS, 2023 as well as Sections 3(1)(r), 3(1)(s), 3(2)(v) and 3(1)(v) of the SC/ST Act.

3. Learned counsel for the appellants submits that appellants are persons with clean antecedent and the informant alleges that on 20.05.2024, Manoj took her to the house of Basant on the pretext of getting her a job, further Basant assured her a job on Class-IV post in HDFC bank, thereafter Basant started calling her to his house for household work and on pretext of getting her a job started establishing physical relation and thereafter both the accused took Rs. 1 Lakh on pretext of giving a job, further neither they gave job nor returned the money and threatened to make the video viral which they had secretly made while establishing physical relation.

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 appellant no. 1 is a Contractor while appellant no. 2 is Manager of the HDFC bank. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the FIR came to be instituted after more than an year of the occurrence. It is also submitted that if what has been alleged is true in that event the informant would have approached the authority competent within a very short span of time. It is next submitted that there is an allegation that informant



was threatened that in the event if she complains in that event the video which was made secretly will go viral. It is further submitted that it absolutely does not stand to reason that as to why the appellants would have threatened the informant of making the video viral, if any occurrence of the nature as alleged would have taken place, since by making the video viral, the appellants themselves would have been implicated in the instant case, which casts a serious doubt and apprehension with regard to the veracity of the allegation. It is also submitted that since appellant no. 2 is Manager with the HDFC bank, as such, he came to be implicated by applying pressure tactics. It is also submitted that very wisely the FIR came to be instituted after great delay in order to avoid any medical examination. It is next submitted that appellants will not abscond rather will cooperate in the investigation to prove their innocence.

5. Learned Spl. P.P. for the State as well as the learned counsel appearing on behalf of the respondent no. 2 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 FIR was instituted after much delay and had any occurrence of the nature as alleged would have taken place, in that event the appellants would not have threatened the informant of making the video viral and thus would have been implicated.



6. In view of the submissions made by the learned counsel for the appellants, the order dated 09.10.2025 in A.B.P. No. 2530 of 2025 passed by the learned 1st Additional Sessions Judge, Bhojpur at Ara in connection with Ara Town P.S. Case No. 505 of 2025, **is hereby set aside** and the appellants above-named, in the event of their arrest or surrender before the learned Court below 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 court below where the case is pending/successor court in connection with Ara Town P.S. Case No. 505 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. Accordingly, the appeal stands allowed.

8. Pending application(s), if any, shall stand disposed of.

(Satyavrat Verma, J)

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