

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4657 of 2025

Arising Out of PS. Case No.-151 Year-2025 Thana- NOWKOTHI GARHPURA District-
Begusarai

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1. Rupesh Kumar @ Bittu Singh @ Biddu Singh S/O Ashok Singh @ Late Ashok Prasad Singh R/O Village- Ward No. 07, Nowkothi @ Naokothi @ Nawkothi, P.S- Nowkothi @ Naokothi @ Nawkothi, Distt.- Begusarai, Pin- 851130.
 2. Anjani Singh @ Anjani Kumar S/O Abadh Kisor Singh@Abadh Singh Kisor@Awadhesh Singh@Awadh Kishor Prasad Singh@AwadhKishorPrSingh R/O Village- Ward No. 05, Nowkothi @ Naokothi @ Nawkothi, P.S- Nowkothi @ Naokothi @ Nawkothi, Distt.- Begusarai, Pin- 851130.
 3. Uttam Singh @ Uttam Kumar S/O Vimal Singh @ Bimal Singh R/O Village- Ward No. 03, Nowkothi @ Naokothi @ Nawkothi, P.S- Nowkothi @ Naokothi @ Nawkothi, Distt.- Begusarai, Pin- 851130.

... .. Appellant/s

Versus

1. The State of Bihar
2. Sanjay Paswan S/O Vimal Paswan R/O Village- Chakka, P.S- Nowkothi @ Naokothi @ Nawkothi, Distt.- Begusarai, Pin- 851130.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Arvind Kumar, Adv
For the Informant	:	Mr. Subhesh Pandey, Adv
For the Respondent/s	:	Ms. Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-01-2026 Heard learned counsel for the appellants, Ms. Usha Kumari learned Spl. PP. for the State and learned counsel for 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 04.11.2025 in A.B.P. No. 2179 of 2025 passed by the learned Exclusive Special Judge S.C./S.T (PoA) Act, Begusarai, in connection with Nowkothi P.S. Case No. 151 of 2025 registered for the offences punishable under Sections 109(1), 303(2), 351, 3(5) of the B.N.S. and Section 3(1)(r), (s)/3(2) (va) of the SC/ST (PoA) Act.

3. Learned counsel for the appellants submits that the I.A. No. 1 of 2025 was filed for taking the case out of turn and accordingly a mentioning was made yesterday on the ground that the daughter of appellant no. 2 is getting married on 29.01.2026 as such the case was taken up out of turn. It is next submitted that the appellant no. 1 has antecedent of seven cases, appellant no. 2 has antecedent of three cases and antecedent no. 3 has antecedent of one case. It is further submitted that from perusal of the allegation as alleged in the FIR it would manifest that informant alleges that on 12.07.2025 at about 10:00 A.M., while he was watering his field, the accused persons including the appellants came and started abusing him by taking his caste name and objected by pouring water in the field on which an objection was raised by Balram Paswan. It is further alleged that the accused person including the appellants assaulted with lathi and danda causing injury to Balram Paswan on his head and the



informant on account of assault and the accused person took locket of Balram Paswan worth Rs. 1250/-.

4. Learned counsel for the appellants submits that the 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 land the occurrence is alleged to have taken place. It is next submitted that when accused persons including the appellants saw the informant watering the field as such they objected when an altercation took in which both side assaulted each other. It is next submitted that even allegation of abuse is general and omnibus in nature. It is further submitted that it does not appear probable that appellants in one go would have abuse the informant. It is also submitted that injury was suffer from both the side and the injury suffer from the side of the informant has been opined to be simple in nature.

5. Learned Spl. P.P. for the State and learned counsel for the informant oppose the prayer for anticipatory bail of the appellant. The learned counsel for the informant is not in a position to rebut the submission of the learned counsel appearing on behalf of the appellants that the occurrence took place on account of dispute relating to land but then it is



submitted that appellants have not approached this Court with clean hands rather they have concealed their criminal antecedents.

6. In view of the submissions made by the learned counsel for the appellants, the order dated 04.11.2025 in A.B.P. No. 2179 of 2025 passed by the learned Exclusive Special Judge S.C./S.T (PoA) Act, Begusarai, in connection with Nowkothi P.S. Case No. 151 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 Provision anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty-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 Nowkothi P.S. Case No. 151 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the appellants and in the event if it is found that appellant no. 1 has antecedent of more than seven cases and appellant no. 2 has antecedent of more than of three cases and appellant no. 3 has antecedent of more than one case in that event the provisional anticipatory bail shall be cancelled forthwith but if it is found that appellant no. 1 has



antecedent of seven cases and appellant no. 2 has antecedent of three cases and antecedent no. 3 has antecedent of one case in that event the provisional anticipatory bail order shall be confirmed forthwith.

8. Accordingly, the appeal stands allowed.

9. I.A. No. 1 of 2025 stands disposed of.

(Satyavrat Verma, J)

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