

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4826 of 2025

Arising Out of PS. Case No.-55 Year-2025 Thana- CHUTIA SAHAYAK District- Rohtas

Chandan Yadav @ Chandan Kumar @ Kumar Chandan S/O Vishwanath
Singh @ Vishvnath Singh R/O Vill.- Makrain, P.S.- Dehri, Dist.- Rohtas
... .. Appellant/s

Versus

1. The State of Bihar
2. Jawahir Chamar S/O Late Mundrika Chamar R/O Vill.- Tiwara Khurd, P.S.-
Chutiya, Dist.- Rohtas.
... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Bipin Kumar, Advocate
For the Respondent/s : Ms. Usha Kumari No. 1, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 08-04-2026 1. Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

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 06.11.2025 passed by the learned Exclusive Special Judge, SC/ST (POA) Act, Rohtas at Sasaram in connection with Chutiya P.S. Case No. 55 of 2025 registered under Sections 126(2), 115(2), 351(2), 352 and 3(5) of the BNS, 2023 as well as Sections 3(i)(r) and 3(i)(s) of the SC/ST Act.

3. Learned Special Public Prosecutor for the State submits that in compliance of the order dated 23.02.2026, the Superintendent of Police, Rohtas was informed about the



pendency of the instant appeal and was also requested to inform the informant about the appeal so that he appear on the next date fixed but the informant despite receiving the notice chooses not to appear and contest.

4. In view of the submissions made by the learned Special Public Prosecutor for the State, the notice is deemed to be validly served.

5. Learned counsel appearing on behalf of the appellant submits that appellant is a person with clean antecedent and the informant alleges that on 05.08.2025, at about 08:00 a.m., he was at his field when a quarrel started with the accused persons for taking tractor inside the field as his crops were standing when the informant opposed, it is alleged that appellant assaulted the informant and when his wife came to save him, the accused persons also assaulted and abused her by taking caste name.

6. Learned counsel appearing on behalf of the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is further submitted that an altercation took place on account of dispute relating to land but then the FIR came to be instituted with an exaggerated allegation that wife of the informant was abused by taking caste name and appellant assaulted the informant. It is next submitted that both sides assaulted each other and the injury suffered by the injured has



been opined to be simple in nature. It is also submitted that this perhaps explains why the informant despite receiving the notice chooses not to appear and contest. It is reiterated and submitted that the dispute arose on account of dispute relating to land but then the instant FIR came to be instituted with exaggerated allegation.

7. Learned Special Public Prosecutor for the State opposes the prayer for anticipatory bail of the appellant.

8. Considering the submissions made by the learned counsel appearing on behalf of the appellant, let the appellant, above-named, in the event of his arrest or surrender within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

9. Accordingly, the impugned order is set aside and this appeal stands allowed.

(Satyavrat Verma, J)

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