

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4848 of 2025

Arising Out of PS. Case No.-321 Year-2025 Thana- GAUTAMBUDHNAGAR District-
Siwan

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1. Dhiraj Pandit S/o Umashankar Pandit R/o Village - Chachopali, Kumhar Tola, P.S - Gautam Budh Nagar, District - Siwan
 2. Harendra Pandit @ Hareram Pandit S/o Late Munshi Pandit R/o Village - Chachopali, Kumhar Tola, P.S - Gautam Budh Nagar, District - Siwan
 3. Sandeep Kumar @ Sandeep Pandit S/o Lal Babu Pandit R/o Village - Chachopali, Kumhar Tola, P.S - Gautam Budh Nagar, District - Siwan
 4. Chandan Kumar @ Chandan Pandit S/o Lal Babu Pandit R/o Village - Chachopali, Kumhar Tola, P.S - Gautam Budh Nagar, District - Siwan

... .. Appellant/s

Versus

1. The State of Bihar
2. Jang Bahadur Sharma S/o Arjun Sharma R/o Village - Saraiya, P.S - Gautam Budha Nagar, District - Siwan

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ramadhar Shekhar, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 08-04-2026 1. Heard learned counsel for the appellants, learned Special Public Prosecutor for the State 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 18.11.2025 in A.B.P. No. 2454 of 2025 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST (POA) Act, Siwan in connection with G.B. Nagar P.S. Case No. 321 of 2025 registered



under Sections 126(2), 115(2), 118, 109, 303(2), 308(3), 352, 351(2) and 3(5) of the BNS, 2023 as well as Sections 3(i)(r)(s) and 3(2)(va) of the SC/ST Act.

3. Learned counsel appearing on behalf of the appellants, after some argument, seeks permission to withdraw the appeal with respect to the appellants no. 1 and 4, namely, Dhiraj Pandit and Chandan Kumar @ Chandan Pandit.

4. Permission is accorded.

5. Accordingly, the appeal with respect to the appellants no. 1 and 4 is dismissed as withdrawn.

6. Learned counsel appearing on behalf of the appellants submits that appellants no. 2 and 3 are persons with clean antecedent and the informant alleges that on 21.07.2025, at about 03:30 a.m., when he was at his shop when the accused persons including the appellants no. 2 and 3 came variously armed and started abusing and demanded ransom of Rs.1 lakh. On objection, Sandeep Kumar @ Sandeep Pandit gave orders to kill on which Chandan Kumar @ Chandan Pandit assaulted the informant on head by sword causing injury and thereafter Dhiraj Pandit along with Deepak Pandit assaulted the informant's brother, namely, Raj Kumar Sharma on head by hockey stick and rod causing injury and thereafter all the accused assaulted an employee of the shop, namely, Anurag Kumar Manjhi and abused by taking



caste name and Chandan Kumar @ Chandan Pandit and Sandeep Kumar @ Sandeep Pandit also took away gold chain of the informant.

7. Learned counsel for the appellants no. 2 and 3 submits that appellants no. 2 and 3 have been falsely implicated in the instant case by the informant. It is further submitted that since the informant and the appellants no. 2 and 3 were known to each other, as such, it does not appear probable that the appellants no. 2 and 3 would have come to the shop of the informant for demanding extortion as the appellants no. 2 and 3 have been implicated in the case by name. It is next submitted that G.B. Nagar P.S. Case No. 330 of 2025 has been instituted by the side of the appellants no. 2 and 3 against the informant and his side. It is also submitted that informant does not belong to the SC/ST Community but then his employ Anurag Kumar Manjhi belongs to SC Community, as such, in order to implicate the appellants no. 2 and 3, a false allegation is alleged that all the accused assaulted Anurag Kumar Manjhi and abused him by taking caste name but then allegation of assaulting Anurag Kumar Manjhi and abusing him is general and omnibus in nature. It is further submitted that informant had taken loan from the side of the appellants no. 2 and 3 for running his shop and the same was not being returned on account of which an altercation took place when the instant FIR



came to be instituted. It is next submitted that no doubt, injury of the informant has been opined to be grievous and the opinion is reserved with regard to the injury suffered by Raj Kumar Sharma but then allegation of assaulting them is not against the appellants no. 2 and 3.

8. Learned Special Public Prosecutor for the State and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the appellants no. 2 and 3.

9. Considering the submissions made by the learned counsel appearing on behalf of the appellants no. 2 and 3, let the appellants no. 2 and 3, above-named, in the event of their 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) each 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 482(2) of the B.N.S.S.

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

(Satyavrat Verma, J)

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