

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5048 of 2025

Arising Out of PS. Case No.-125 Year-2025 Thana- SANGRAMPUR District- Munger

1. Kamelshwari Sharma @ Kamleshwari Sharma Son of Late Rohin Sharma Resident of Village - Mohanpur, P.S.- Shambhuganj, District - Banka.
2. Guddu Devi @ Gudo Devi Wife of Kamelshwari Sharma @ Kamleshwari Sharma Resident of Village - Mohanpur, P.S.- Shambhuganj, District - Banka.
3. Sangam Kumar Son of Kamelshwari Sharma @ Kamleshwari Sharma Resident of Village - Mohanpur, P.S.- Shambhuganj, District - Banka.

... .. Appellant/s

Versus

1. The State of Bihar
2. Komal Kumari Daughter of Mukesh Das Wife of Rahul Kumar Das, Resident of Village - Sanhauli, P.S.- Sangrampur, District - Munger.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Narendra Kumar Singh, Adv.
For the Respondent/s : Mr. Sadanand Paswan, Special P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 24-06-2026 1. Heard learned counsel for the appellants, learned Special P.P. 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 23.09.2025 in A.B.P. No. 1214 of 2025 passed by the learned Special Judge, SC/ST Act, Munger in connection with Sangrampur P.S. Case No. 125 of 2025 registered under



Sections 69, 352, 351(2)(3) and 3(5) of the BNS as well as Sections 3(1)(r), 3(1)(5) and 3(2)(vd) of the SC/ST Act.

3. Learned counsel for the appellants submits that appellants are persons with clean antecedent and appellant no.2 is a woman and the informant alleges that she came in contact with Anant, further on 01.01.2025 informant along with her sister and Anant went to see a temple at Gauripur hill, where Anant forcefully established physical relation and also assured that he will marry her and thereafter put vermilion on her forehead in the temple, thereafter Anant came to her house and assured her parents that he will marry her, next alleges that Anant on the said pretext kept coming to her house till 15.05.2025 and kept establishing physical relation, on account of which, informant became pregnant and when Anant came to know about the pregnancy, he refused to marry, accordingly, on 15.05.2025, the informant along with her parents came to the house of Anant where his family members i.e. appellants acted inappropriately with them and disclosed that Anant has performed his marriage with another girl.

4. Learned counsel appearing on behalf of the appellants submits that appellants have been falsely implicated in the instant case by the informant being parents of Anant. It is



next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that informant and Anant were known to each other. It is next submitted that the allegation does not even remotely suggest or discloses that either informant or Anant had disclosed about their relationship to the appellants, though informant alleges that she had disclosed about her relationship with Anant to her parents. It is next submitted that even presuming what has been alleged is true without admitting then the entire occurrence took place at the house of Anant and thus was not in public view and the informant does not allege that appellants abused or assaulted her and her parents rather has alleged that they were pushed. It is reiterated and submitted that appellants have been implicated in the case only with a view to coerce Anant into submission.

5. Learned Special Public Prosecutor and the learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the appellants that the entire occurrence took place at the house of Anant and thus was not in public view and there is no allegation of abuse and assault.

6. Considering the submission of the learned counsel



for the appellants, let the appellants, 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 bond 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 in connection with the aforesaid case, subject to the conditions as laid down under Section 482(2) of the BNSS.

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

(Satyavrat Verma, J)

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