

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5100 of 2025

Arising Out of PS. Case No.-381 Year-2025 Thana- MAJORGANJ District- Sitamarhi

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Pankaj Singh @ Pankaj Kumar S/O Lalan Singh R/O Vill.- Dumri Kalan, Tole Dangaraha, Ward no.- 17, P.S- Majorganj, Dis- Sitamarhi, Pin Code- 843315 (Bihar)

... .. Appellant/s

Versus

1. The State of Bihar
2. Feku Paswan S/O Chaneshwar Paswan R/O Vill.- Dumri Kalan, Tole Dangaraha, Ward no.- 17, P.S- Majorganj, Dis- Sitamarhi, Pin Code- 843315 (Bihar)

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Uday Kumar, Adv
For the Respondent/s	:	Ms.Usha Kumari 1, Spl. PP
		Mr. Shankar Kumar, Adv

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 23-03-2026 1. Heard learned counsel for the appellant, learned Spl. P.P. for the State, Ms. Usha Kumari No. 1 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 27-11-2025 in A.B.P. No. 67 of 2025 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Sitamarhi in connection with Majorganj P.S. Case No. 381 of 2025 registered for the offences punishable



under Sections 126(2), 127(2), 115(2), 109, 308(4), 119(1), 352, 3(5) of BNS as well as Sections 3(1)(v)(s) of the SC/ST Act.

3. Learned counsel for the appellant submits that appellant has antecedent of one case and the informant alleges that accused persons including the appellant intercepted him near a photocopy shop along with his wife and Vivek along with Pankaj asked him to sit in their car and took him to the Bank and filled a withdrawal slip and made him put his thumb impression for withdrawing money, but money could not be withdrawn in absence of KYC, thereafter they again made the informant sit in the car and on the way, Vivek assaulted him on his face and Pankaj abused and hit him on his private part.

4. Learned counsel for the appellant submits that the appellant has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that the same does not inspire confidence for the reasons that it does not appear probable that had the appellant along with other taken the informant inside the Bank for withdrawing money, the informant would not have raised an alarm. It is further submitted that even presuming what has been alleged is true without admitting then allegation of abuse and assault was not



committed in public view rather the informant himself alleges that while they were travelling in the car, the occurrence was committed, as such rigours of Section 18 SC/ST Act would not apply.

5. Learned Spl. P.P. for the State opposes the prayer for anticipatory bail of the appellant.

6. Considering the aforesaid facts, let the appellant above-named, in the event of his arrest or surrender within a period of six weeks from today, 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/successor court 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 the appeal stands allowed.

(Satyavrat Verma, J)

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