

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5094 of 2025

Arising Out of PS. Case No.-86 Year-2025 Thana- BOCHAHAN District- Muzaffarpur

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Bablu Thakur S/o Ramshresth Thakur R/o Village - Jagai Majhauuli, P.S -
Bochaha, District - Muzaffarpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Ranjay Kumar Paswan, A.S.I Bochaha, P.S - Bochaha, District -
Muzaffarpur, Pin - 843103 Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Shiva Shankar Sharma
For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 3 06-05-2026 1. Heard learned counsel for the appellant and
learned Special P.P. for the State, Mr. Sadanand Paswan.
2. In view of the ground taken in I.A. No. 01 of
2026, the delay of 89 days in filing the appeal is hereby
condoned.
3. The learned counsel for the appellant next
submits that the FIR has been instituted by Officer-in-charge,
hence, notice is not required, as the informant is represented by



the learned Special PP for the State.

4. 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 18.06.2025 in A.B.P. No. 1266 of 2025 passed by the learned Special Judge S.C./S.T. (POA) Act, Muzaffarpur in connection with Bochaha P.S. Case No. 86 of 2025 registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 132, 109, 352, 351(2) and 351(3) of the BNS, 2023 as well as Sections 3(1)(r) and 3(1) (s) of the SC/ST Act.

5. Learned counsel for the appellant submits that appellant is a person with clean antecedent and the informant alleges that on 07.04.2025 at 10:10 PM, he received an information that a fight has ensued in between two groups, accordingly, he reached the place of occurrence with police force and Chowkidar and tried to pacify the dispute, when Ranju Devi abused and slapped him, while Ayush abused by taking caste name and assaulted constable Arvind by rod causing injury on head, thereafter, Harsh called his neighbours who came abusing and assaulted by brick, lathi, danda and



injured were taken to the hospital, further Chowkidar disclosed the name of eight accused persons who had come on call of Harsh including the appellant.

6. Learned counsel for the appellant submits that from perusal of the allegation as alleged in the FIR, it would manifest that thrust of allegation is against Ranju Devi, Ayush and Harsh. It is further submitted that allegation against the appellant is general and omnibus in nature. It is also submitted that the informant does not allege that persons who came on call of Harsh were abusing by taking caste name. It is reiterated and submitted that allegation of assault is not specific.

7. Learned Special P.P. for the State opposes the appeal.

8. In view of the submissions made by the learned counsel for the appellant, the order dated 18.06.2025 in A.B.P. No. 1266 of 2025 passed by the learned Special Judge S.C./S.T. (POA) Act, Muzaffarpur in connection with Bochaha P.S. Case No. 86 of 2025, **is hereby set aside** and 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 Bochaha P.S. Case No. 86 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

9. Accordingly, the appeal stands allowed.

(Satyavrat Verma, J)

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