

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4297 of 2025

Arising Out of PS. Case No.-192 Year-2025 Thana- MADHUBAN District- East Champaran

1. Arjun Sahani @ Arjun Kumar S/o Nagendra Sahani Resident of village- Lahi P.S.- Madhuban District- East Champaran
2. Rajesh Sahani @ Rajesh Kumar @ Rakesh Kumar S/o Suresh Sahani Resident of village- Lahi P.S.- Madhuban District- East Champaran
3. Raju Sahani @ Raju Kumar S/o Suresh Sahani Resident of village- Lahi P.S.- Madhuban District- East Champaran
4. Gopi Kumar @ Manoj Kumar S/o Lakhindra Sahani Resident of village- Lahi P.S.- Madhuban District- East Champaran
5. Muku Sahani @ Mukesh Kumar S/o Suresh Sahani Resident of village- Lahi P.S.- Madhuban District- East Champaran
6. Mohan Sahani S/o Late Mahadeo Sahani Resident of village- Lahi P.S.- Madhuban District- East Champaran
7. Nagendra Sahani S/o Jini Sahani Resident of village- Lahi P.S.- Madhuban District- East Champaran

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Pappu Kumar S/o Mahesh Ram R/o vill - Lahi, P.S.- Madhuban, Distt.- East Champaran

... .. Respondent/s

with

CRIMINAL APPEAL (SJ) No. 4521 of 2025

Arising Out of PS. Case No.-192 Year-2025 Thana- MADHUBAN District- East Champaran

1. Rakesh Sahani son of Ramyash Sahani Resident of Village- Lahi Ps- Madhuban, Dist- East Champaran
2. Sandip Sahani @ Sandip Kumar son of Rakesh Sahani Resident of Village- Lahi Ps- Madhuban, Dist- East Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Pappu Kumar son of Mahesh Ram Resident of Village- Lahi Ps- Madhuban, Dist- East Champaran

... .. Respondent/s

Appearance :
(In CRIMINAL APPEAL (SJ) No. 4297 of 2025)



For the Appellant/s : Mr.Ajay Kumar Singh
For the Respondent/s : Mr.Sadanand Paswan
(In CRIMINAL APPEAL (SJ) No. 4521 of 2025)
For the Appellant/s : Mr.Dhannjay Kumar Ii
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 11-05-2026

Re: Cr. APP (SJ) No. 4297 of 2025.

1. Heard learned counsel for the appellants and learned Spl. P.P. for the State, Sri Sadanand Paswan.

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 9-9-2025 in A.B.P. No. 4279 of 2025 passed by the learned Exclusive Special Judge S.C./S.T. (POA) Act, East Champaran at Motihari, in connection with Madhuban P.S. Case No. 192 of 2025 registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 76, 109, 303(2), 125(a), 125(b), 352, 351(3) of the BNS as well as Sections 3(1) (r)(s) of the SC/ST Act.

3. Learned counsel for the appellants submits that informant despite receiving notice chooses not to appear and contest. It is next submitted that appellants are persons with clean antecedent and the informant alleges that on 5-6-2025, 36 named accused persons including the appellants abused the



women members of the family of the informant who had gone to the temple to offer prayer on eve of his sister's marriage, accordingly the informant and his father reached the place of occurrence and requested not to create disturbance in his sister's marriage, but accused persons started abusing and assaulted causing injury to several persons as detailed in the FIR and Suresh snatched Rs. 50,000/- from his pocket and snatched silver chain of female members, further his sister's marriage was performed under police protection.

4. Learned counsel for the appellants submits that the appellants have 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 allegation of abuse and assault is general and omnibus in nature. It is also submitted that it does not appear probable that all accused in one go would have abused the informant and his side by taking caste name. It is further submitted that no doubt marriage of the sister of the informant was to be performed on the date of occurrence, but then vulgar DJ song was being played at the door of the appellants, which was objected by the appellants and villagers, on account of which an altercation took place and both sides assaulted each other. It is next submitted



that this explains why informant in the FIR alleges that 36 named accused persons came. It is further submitted that date of occurrence is 5-6-2025 and the FIR came to be instituted on 9-6-2025, i.e., after a delay of four days. It is also reiterated and submitted that on account of dispute relating to playing of vulgar song in the marriage, the occurrence is alleged to have taken place and not on account of fact that informant and his side belong to SC/ST community. It is next submitted that this perhaps explains why informant despite receiving notice chooses not to appear and contest.

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

6. Considering the aforesaid facts, let the appellants above-named, in the event of their 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) each 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.



Re: Cr. APP (SJ) No. 4521 of 2025

1. Heard learned counsel for the appellants and learned Spl. P.P. for the State, Sri Sadanand Paswan.

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 9-9-2025 in A.B.P. No. 4279 of 2025 passed by the learned Exclusive Special Judge S.C./S.T. (POA) Act, East Champaran at Motihari, in connection with Madhuban P.S. Case No. 192 of 2025 registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 76, 109, 303(2), 125(a), 125(b), 352, 351(3) of the BNS as well as Sections 3(1) (r)(s) of the SC/ST Act.

3. Learned counsel for the appellants submits that appellants are persons with clean antecedent. It is further submitted that Arjun Sahani @ Arjun Kumar and 6 others had approached this Court seeking anticipatory bail by filing Cr. APP (SJ) No. 4297 of 2025 and the same came to be allowed by an order dated 11-15-2026 after considering the case on merits and in detail. It is also submitted that case of the appellants is



similar to the case of Arjun Sahani @ Arjun Kumar and 6 others.

4. Learned Spl. P.P. for the State is not in a position to rebut the submission of the learned counsel appearing on behalf of the appellants.

5. After hearing the learned counsel for the parties and taking into consideration the order dated 11-5-2026 in Cr. APP (SJ) No. 4297 of 2025, let the appellants above-named, in the event of their 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) each 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.

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

(Satyavrat Verma, J)

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