

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.273 of 2026

Arising Out of PS. Case No.-587 Year-2025 Thana- LALGANJ District- Vaishali

1. Chhotu Kumar S/O Jai Chandra Rai Resident of village- Basanta Jehanabad, P.S.- Lalganj, District- Vaishali at Hajipur
2. Shivam Kumar Son of Sanjeet Ray Resident of village- Basanta Jehanabad, P.S.- Lalganj, District- Vaishali at Hajipur
3. Sujeet Kumar @ Vishwajeet Kumar @ Sujeet Rai Son of Siya Ram Rai Resident of village- Basanta Jehanabad, P.S.- Lalganj, District- Vaishali at Hajipur
4. Amarjeet Kumar @ Amarjeet Rai son of Jitendra Ray Resident of village- Basanta Jehanabad, P.S.- Lalganj, District- Vaishali at Hajipur
5. Aman Kumar son of Jitan Rai Resident of village- Basanta Jehanabad, P.S.- Lalganj, District- Vaishali at Hajipur
6. Vikram Kumar son of Manoj Ray Resident of village- Basanta Jehanabad, P.S.- Lalganj, District- Vaishali at Hajipur
7. Sukesh Kumar son of Sampat Rai Resident of village- Basanta Jehanabad, P.S.- Lalganj, District- Vaishali at Hajipur
8. Vicky Kumar @ Vikky Kumar son of Jitan Rai Resident of village- Basanta Jehanabad, P.S.- Lalganj, District- Vaishali at Hajipur
9. Rahul Kumar Son of Ramchandra Rai Resident of village- Basanta Jehanabad, P.S.- Lalganj, District- Vaishali at Hajipur
10. Aaditya Kumar @ Aditya Kumar son of Dinesh Rai Resident of village- Basanta Jehanabad, P.S.- Lalganj, District- Vaishali at Hajipur

... .. Appellant/s

Versus

1. The State of Bihar
2. Aadarsh Kumar S/o Late Santosh Paswan R/o Village - Balua Basanta, Police Station - Lalganj, District-Vaishali

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Bijay Bhushan Prasad, Advocate
For the Respondent/s : Ms. Usha Kumari 1, Special P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 17-08-2026 1. Heard learned counsel for the appellants, learned Special Public Prosecutor for the State and 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 09.01.2026 in A.B.P. No. 3480 of 2025 passed by the learned Exclusive Special Judge, SC/ST, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 587 of 2025 registered under Sections 126, 115(2), 303(2), 352, 351(3) and 3(5) of the BNS as well as Sections 3(1)(r) and 3(1)(s) of the SC/ST Act.

3. Learned counsel appearing on behalf of the appellants submits that appellants are persons with clean antecedent and the informant alleges that on 18.11.2025 at 07:00 p.m. while he was going back to his home, when he was intercepted by the named accused persons including the appellants near Panchayat Bhawan. It is further alleged that Amarjeet Kumar (appellant no. 4) snatched the mobile and motorcycle of the informant and also abused by taking caste name and assaulted by *lathi* and *danda*. It is next alleged that Sujeet Kumar (appellant no. 3) and Sukesh Kumar (appellant no. 7) also assaulted the informant by *lathi*, *danda* and the reason for the occurrence was that informant supported a particular political party.



4. Learned counsel for the appellants submits that appellants have been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that specific allegation of assault is against Amarjeet Kumar (appellant no. 4), Sujeet Kumar (appellant no. 3) and Sukesh Kumar (appellant no. 7) and the dispute appears more political than criminal in nature. It is next submitted that appellants are persons with clean antecedent. It is also submitted that from the side of the appellants also Lalganj P.S. Case No. 593 of 2025 has been instituted against the informant and his side wherein the informant, namely, Suchitra Kumari alleges that informant and his side tried to forcibly kidnapped her. It is, thus, submitted that on account of the said occurrence, an altercation had taken place in which both sides assaulted each other.

5. 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 and submit that informant suffered nine injuries and injuries no. 1, 2, 3, 8 and 9 have been opinined to be simple in nature and opinion with regard to injuries no. 4, 5, 6 and 7 has been reserved. Learned counsel appearing on behalf of the informant, thus, submits that



since informant received nine injuries that amply demonstrates that he was assaulted on which learned counsel appearing on behalf of the appellants submits that allegation of assault is not specific against all the appellants, except appellant no. 3 but then learned Special P.P. submits that since nine injuries have been suffered by the informant which amply demonstrates that the side of the appellants assaulted the informant and FIR is not an encyclopedia.

6. At this stage, learned counsel appearing on behalf of the appellants seeks permission to withdraw this appeal with liberty to the appellants to surrender and seek regular bail.

7. Permission is accorded.

8. Accordingly, this appeal is dismissed as withdrawn.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

