

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.3118 of 2022**

Arising Out of PS. Case No.-247 Year-2022 Thana- PATRAKARNAGAR District- Patna

VIKASH KUMAR @ VIKASH BOXER S/o Sri Suraj Yadav Resident of  
Purani Kankarbagh, P.S.- Patrakar Nagar, District- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Chandan Kumar, Computer Operator, Examination Department, Patliputra University, Patna Bihar

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr. Udbhav, Advocate

For the Respondent/s : Mr. Usha Kumari 1, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      19-12-2022                      Heard learned counsel for the appellant and learned  
Spl.P.P. for the State.

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 04.07.2022 in ABP No. 4313 of 2022 passed by the learned Exclusive Special Court, SC/ST (POA) Act, Patna in connection with Patrakar Nagar P.S. Case No. 247 of 2022 registered under Sections 452, 341, 323, 504, 506, 379 and 34 of the Indian Penal Code and Section 3(1)(r)(s) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities Act).



Learned counsel for the appellant submits that the appellant has antecedent of four cases and the informant alleges that on 12.05.2022 at 7:00 PM, the informant and his associates were working in the Examination Control Room (Confidential Section) when the appellant along with accused persons came and assaulted Dr. Rishikesh Ranjan (Deputy Examination Controller) and he fell unconscious thereafter the accused also assaulted him and hurled abuses.

Learned counsel for the appellant submits that appellant has been falsely implicated in the present case, it is next submitted that appellant is the President of Commerce College Student Union from 2017 till date, it is next submitted that one student Sweta had filed a Complaint Case No. 1107 of 2015 against Principal of the College for outraging her modesty which led to a protest under the leadership of the appellant, on account of which two cases were instituted against him, it is also submitted that P.G. examination was to commence from 18.05.2022 and the appellant protested along with other students on the issue of question paper leak, which irked the University Administration leading to institution of the present false case, it is next submitted that there is no injury report on record with respect to Dr. Rishikesh Ranjan, it is further submitted that



university campus is full of CCTV cameras but then no CCTV footage has been retrieved with respect to the occurrence when CCTV cameras are installed near the examination control room. The learned counsel for the appellant thus submits that appellant being a student union leader was protesting against the authorities of the university which led to institution of the present case, it is also submitted that the FIR does not disclose that as to what abuse was hurled on the informant and who abused him, it is next submitted that appellant is a student and if he is sent to custody in the nature of allegation and the defence taken his entire career would be jeopardized and chances are bright that he may come in contact with hardened criminals.

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

Considering the submissions made by the learned counsel for the appellant, the order dated 04.07.2022 in ABP No. 4313 of 2022 passed by the learned Exclusive Special Court, SC/ST (POA) Act, Patna in connection with Patrakar Nagar P.S. Case No. 247 of 2022 is hereby set aside and the appellant above-named, in the event of their arrest or surrender before the learned trial court 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 to the satisfaction of the learned trial court where the case is pending/successor court in connection with Patrakar Nagar P.S. Case No. 247 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Shivam/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

