

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3532 of 2022

Arising Out of PS. Case No.-100 Year-2022 Thana- MUSAHARI District- Muzaffarpur

AKHILESH SAHANI @ AKHILESH KUMAR SAHANI @ AKHLESH
SAHANI Son of Sonelal Sahani Resident of Village- Bari Kothiya, P.S.-
Mushahari, District- Muzaffarpur

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. MEENA DEVI Wife of Ramchandra Paswan Resident of Village- Bari
Kothiya, P.S. and P.O.- Mushahari, District- Muzaffarpur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Bela Singh, Adv.
For the Respondent/s	:	Mr.Usha Kumari 1, Spl.PP. Mr. Sunil Kr. Pandey, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 25-01-2023 Heard the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer of anticipatory bail vide order dated 26.08.2022 passed by learned Special Judge (SC/ST Act), Muzaffarpur, in connection with Mushahari P.S. Case No. 100 of 2022 registered under Sections 341, 323, 324, 307, 354, 379, 447, 504, 506, 34 of the Indian Penal Code and Section 3(1) (r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The prosecution case, in brief, is that appellant along with



other co-accused persons assaulted the informant and her family members. They also snatched ornaments from her family members.

It is submitted by learned counsel for the appellant that he is quite innocent and committed no offence. No such occurrence as alleged ever took place. It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. The allegation of assault levelled against the appellants is not specific rather general and omnibus in nature. There is specific overt act against co-accused Lalu Sahni that he assaulted the informant's son with intention to kill him due to which informant's son sustained grievous injury. Appellant has no criminal antecedent.

Learned Spl. PP for the State as well as learned counsel for the respondent opposed the prayer for bail.

In the facts and circumstances of the case, since the injury is grievous in nature, I am not inclined to enlarge the appellant on bail. The prayer for bail is hereby rejected.

Accordingly, this appeal is dismissed.

(Anjani Kumar Sharan, J)

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