

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2521 of 2024

Arising Out of PS. Case No.-16 Year-2024 Thana- SC/ST District- East Champaran

1. Md. Ajaj Reza Son Of Raja Sai Village-Pathkhauliya Ps -Motihari Muffasil Dist -East Champaran
2. Ranjit Kumar Son Of Late Banaras Prasad Village-Talposh, Ps- Pakribarwan, Dist- Nawada
3. Rahul Kumar Son Of Ram Das Singh Village- Pathu, Ps- Pipra, Dist- Patna
4. Mukesh Kumar Son Of Birendra Prasad Village- Singhara Tara, Ps- Mahuwa, Dist- Vaishali
5. Govind Kumar Jha @ Govind Jha Son Of Dev Chandra Jha Village- Durgapur Tola, Ward No 10, Po- Pachgachhiya, Ps- Bihara, Dist- Saharsa
6. Md. Shahbaz Alam Son Of Shamimuddin Village- Badauni Ali Nagar, Ps- Nawada, Dist- Nawada
7. Akash Singh Son Of Late Basant Singh Village- Kandap, Ps- Gaurichak, Dist- Patna
8. Prakash Kumar Son Of Manju Prasad Kesri Village- Utri Muhalla Ward No. 22, Ps- Bhabhua, Dist- Kaimur Bhabua

... .. Appellant/s

Versus

1. The State of Bihar
2. Manish Kumar Son Of Sri Gauri Shankar Paswan Village- Chunabhatti, Ward No. 14, Ps- Lalit Narayan University, Dist- Darbhanga

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Manoj Kumar, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. P.P.
		Mr. Rakesh Kumar No.1, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 30-08-2024 Heard learned counsel for the appellants, learned Special P.P. for of the State and learned counsel appearing on behalf of Respondent No. 2.

2. This appeal has been filed against the order dated 20.03.2024 passed by learned Special Judge, SC/ST Act, East



Champan, Motihari in connection with Motihari SC & ST P.S. Case No. 16 of 2024, registered under Sections 341, 323, 448, 353, 504, 506/34 of the Indian Penal Code and Sections 3(i)(r), 3(i)(s), 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (for short “SC/ST Act”), whereby the prayer for anticipatory bail of appellants has been rejected.

3. As per prosecution case, the informant, who is posted as incharge Manager at DRCC, East Champaran, Motihari, has alleged that on the alleged date and time of occurrence, while he was doing his job in his chamber, appellant no. 1 came there with a leave application, upon which, informant asked him to bring his remaining leave status from the concerned department. Thereafter, appellant no. 1 came outside the chamber and after five minutes again came in chamber with other co-accused persons and abused him by caste name and kicked and punched him.

4. Learned counsel for the appellants submits that F.I.R. has been lodged after a delay of 6 days and appellants are daily-wage employees in the office of informant. As a matter of fact, when appellant no. 1 had gone to seek leave on the ground of illness of his wife, it was informant, who abused and assaulted him.



5. However, learned Spl. Public Prosecutor for the State and learned counsel for the respondent no. 2 vehemently opposed the appeal and submitted that there is specific accusation against all the F.I.R. named accused persons including these appellants that they abused informant by caste name and also assaulted him and thus, caused hindrance in discharge of his official duties.

6. Considering the rival submissions of the parties and materials available on record, this Court does not find any illegality or irregularity in the order impugned, which warrants any interference by this Court.

7. Accordingly, the appeal, filed for grant of anticipatory bail to appellants, is rejected.

(Prabhat Kumar Singh, J.)

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