

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No. 428 of 2024

Arising Out of PS. Case No.-463 Year-2017 Thana- ARA NAGAR District- Bhojpur

Abhay Kumar Singh @ Abhay Kumar S/o Shri Pramod Singh @ Shri Pramod Kumar Singh R/o Vill - Shivganj Sapna Cinema Road, P.S. - Ara Town, Dist. - Bhojpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Shekhar Kumar Prasad S/o Shri Sashi Bhushan Prasad R/o Vill - Pauakhali, P.S. - Pauakhali, P.S. - Kishanganj, Dist. - Bhojpur at present Town Manager, Ara Nagar Nigam Ara, Dist. - Bhojpur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Shiv Prasad Gupta, Advocate
For the State	:	Mr. Sadanand Paswan, Spl. Public Prosecutor
For the R.No. 2	:	Mr. Prince Kumar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 31-07-2025 Heard learned counsel appearing on behalf of appellant, respondent no. 2 and Spl. Public Prosecutor.

2. This criminal appeal has been filed against the order dated 05.07.2023 passed by learned 1st Additional Sessions Judge-cum-Special Judge SC/ST, Bhojpur at Ara in ABP No. 1604 of 2023 in connection with SC/ST Case No. 606 of 2017 (Ara Nagar P. S. Case No. 463 of 2017), registered under Sections 147, 148, 149, 341, 323, 427, 353, 379, 504, 506 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and Section 27 of the Arms Act, whereby the prayer for anticipatory



bail of appellant has been rejected.

3. It is alleged that when informant, being Town Manager in Ara Nagar Nigam, along with other officials, was engaged in removal of encroachment over public land in compliance of order of Hon'ble High Court passed in MJC No. 1835 of 2017, these appellants assaulted informant and others and abused them by caste name. It is further alleged that the accused persons also snatched wrist watch, chain and damaged the JCB.

4. Learned counsel for the appellant submits that appellant is innocent and has falsely been implicated in this case due to local politics. Allegation of assault is general and omnibus. Rest of the allegations are ornamental to make the case grave. Appellant claims clean antecedent.

5. However, learned Spl. Public Prosecutor appearing for the State as well as learned counsel for the respondent no. 2 vehemently opposed the prayer for bail application and submitted that this appellant and other named accused persons abused and assaulted the government officials while they were discharging their duty.

6. Considering the nature and gravity of accusation, I do not find any ground to interfere with the order of the learned



court below and as such, the appeal, which has been filed for
grant of anticipatory bail, is hereby rejected.

(Prabhat Kumar Singh, J)

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