

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.406 of 2025

Arising Out of PS. Case No.-422 Year-2023 Thana- KARAHGAR District- Rohtas

1. Sunil Kumar @ Golu Chaudhari Son of Raj Kumar Choudhari Resident of Village- Karagahar, Post- Karagahar,PS- Karagahar, District- Rohtas
2. Manoj Kahar @ Murali Kharwar @ Manoj Kumar Son of Bahadur Kahar Resident of Village- Karagahar, Post- Karagahar,PS- Karagahar, District- Rohtas
3. Prakash Chaudhari Son of Balkeshwar Chaudhary Resident of Village- Karagahar, Post- Karagahar,PS- Karagahar, District- Rohtas

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Bans Narayan Ram Son of Bechu Ram Resident of Village- Karagahar, Post- Karagahar,PS- Karagahar, District- Rohtas

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Siddharth Harsh, Adv
For the Respondent/s	:	Ms.Usha Kumari 1, Spl. PP Mr. Saket Kumar Singh, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 09-12-2025 1. Heard learned counsel for the appellants; learned Spl. P.P. for the State, Ms Usha Kumari No. 1 and the 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 22-11-2024 in passed by the learned Additional Sessions Judge-XVII-cum-Exclusive Special Judge S.C./S.T.



(POA) Act, Rohtas at Sasaram in connection with Karaghar P.S. Case No. 422 of 2023 registered for the offences punishable under Sections 147, 149, 341, 323, 307, 379, 504, 506 of the Indian Penal Code as well as Sections 3(i)(r)(s) of the SC/ST Act.

3. Learned counsel for the appellants submits that the appellants have antecedent of one case, but then the said case was also instituted by the side of the informant. It is next submitted that informant alleges that on 13-11-2023 at about 10 AM, the informant along with Chutur Ram was going for doing daily labour work, when FIR named accused persons stopped them near their house and started assaulting them with lathi and abused them by taking caste name, on alarm Sudheshwar Ram and Santosh Ram came to their rescue, when all the 13 named accused persons assaulted them with lathi and danda and also abused them and Dinesh snatched gold locket from the neck of the informant.

4. Learned counsel for the appellants submits that the appellants have been falsely implicated in the instant case. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that 13 named accused persons have been implicated and are alleged to have assaulted and abused by



taking caste name, but then the allegation of abuse and assault is general and omnibus in nature. It is further submitted that it does not appear probable that all 13 accused persons in one go would have abused the informant and others by taking caste name. It is also submitted that though it is alleged that Sudheshwar and Santosh were assaulted by the accused persons, but then there is no injury report in the case diary and allegation of snatching gold locket is ornamental.

5. Learned Spl. P.P. for the State and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the appellants, but then learned Spl.PP after perusing the case diary submits that injury report is not mentioned in the case diary. Learned counsel appearing on behalf of the informant is also not in a position to rebut the submission of the learned counsel appearing on behalf of the appellants that allegation of assault and abuse is general and omnibus in nature.

6. Considering the aforesaid facts, let the appellants 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) each with two sureties of the



like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with the aforesaid case, subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. Accordingly, the impugned order is set aside and the appeal stands allowed.

(Satyavrat Verma, J)

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