

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.475 of 2025

Arising Out of PS. Case No.-37 Year-2024 Thana- SC/ST District- Khagaria

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Pritam Kumar S/O Hardev Sharma @ Harkhori Sharma Resident Of Village-
Samaspur, Ps- Maheshkhut, Dist.- Khagaria.

... .. Appellant/s

Versus

1. The State Of Bihar
2. Bindu Devi W/O Sikandar Rajak Resident Of Village- Samaspur, Ps-
Maheshkhut, Dist.- Khagaria.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Jai Kishor Poddar, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl. Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-03-2025 Heard learned counsel appearing on behalf of
appellant and Spl. Public Prosecutor.

2. This criminal appeal has been filed against the order dated 16.12.2024 passed by learned District and Additional Sessions Judge 1st cum Special Judge (SC/ST), Khagaria in Special ABP No. 73/2024 in connection with Khagaria SC/ST P.S. Case No. 37 of 2024, registered under Sections 126(2), 115(2), 74, 352, 351(2) of the Bharatiya Nyaya Sanhita and Section 3(i)(r)(s)(w), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellant has been rejected.



3. As per prosecution case, on the alleged date and time of occurrence, while daughter of the informant was returning from after tuition class, this appellant abused her by caste name and misbehaved with her and threatened her on the point of pistol.

4. It is submitted on behalf of the appellant that appellant is innocent and has committed no offence. There is no specific allegation of overt act against the appellant and there is inordinate delay of five days in lodging the F.I.R. for which there is no plausible explanation. It is not the case of the informant that the alleged incident occurred within the public view, as such no offence under Sections of SC/ST Act is made out against appellant. Appellant claims clean antecedent.

5. However, learned Spl. Public Prosecutor appearing for the State vehemently opposes the prayer for bail application and submits that there is specific accusation against the appellant that he misbehaved with daughter of the informant on the point of pistol.

6. Considering the 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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