

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.562 of 2025

Arising Out of PS. Case No.-5 Year-2024 Thana- YADUNATHPUR District- Rohtas

-
-
1. Sushila Devi Wife of Awadhesh Choudhary Resident of Village - Matiyawan, P.S. - Yadunathpur, District - Rohtas at Sasaram
 2. Pradhan Choudhary Son of Ramashish Choudhary @ Baccha Choudhary Resident of Village - Matiyawan, P.S. - Yadunathpur, District - Rohtas at Sasaram
 3. Pinky Devi Wife of Pradhan Choudhary Resident of Village - Matiyawan, P.S. - Yadunathpur, District - Rohtas at Sasaram

... .. Appellant/s

Versus

1. The State of Bihar
2. Prayag Paswan Son of Late Mukhlal Paswan Resident of Village - Matiyawan, P.S. - Yadunathpur, District - Rohtas at Sasaram

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Deovind Kumar Singh, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-03-2025 Heard learned counsel appearing on behalf of appellants and Spl. Public Prosecutor.

2. This appeal has been filed against the order dated 15.01.2025 passed by learned Additional District & Sessions Judge-XVII-cum-Special Court SC/ST (POA) Act, Rohtas at Sasaram in connection with Yadunathpur P.S. Case No. 05 of 2024, registered under Sections 126(2), 115(2), 132, 121(1), 121(2), 352, 351(3), 109, 3(5) of the Bharatiya Nyaya Sanhita and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellants has been rejected.

3. Prosecution case, in brief, is that on 22.11.24 at



about 8 PM, when informant was at his house, appellant No. 1 came there and requested him to come at her house and pacify the matter as appellant No. 2 is assaulting her. When informant went with appellant No. 1 at her house, there these appellants brutally assaulted him with bricks, *danda* and abused him by caste name.

4. It is submitted on behalf of appellants that appellants are innocent and have committed no offence. F.I.R. has been lodged after inordinate delay of 15 days which itself creates doubt over veracity of the prosecution case. Allegation of assault against these appellants is general and omnibus. Moreover, it is not the case of informant that alleged incident occurred within the public view as such, no offence under SC/ST Act is made out. Appellants claim clean antecedent.

5. However, learned Spl. Public Prosecutor appearing for the State vehemently opposed the bail application.

6. Considering the nature 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)

Navya/-

U		T	
---	--	---	--

