

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1064 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- DHAKA District- East Champaran

1. Radha Kumari Patel S/o- Raj Kumar Singh Village- Ward No-7, Vikrampur Ps- Dhaka Dist- East Champaran
2. Raj Kumar Singh S/o- Jay Narain Singh Village- Ward No-7, Vikrampur Ps- Dhaka Dist- East Champaran
3. Hotilal Singh D/o- Dhuv Narain Singh Village- Ward No-7, Vikrampur Ps- Dhaka Dist- East Champaran
4. Sikandar Azam S/o- Sanaullah Ansari Village- Ward No-7, Vikrampur Ps- Dhaka Dist- East Champaran
5. Bacchu Alam S/o- Sanaullah Ansari Village- Ward No-7, Vikrampur Ps- Dhaka Dist- East Champaran
6. Majhar Alam S/o- Sanaullah Ansari Village- Ward No-7, Vikrampur Ps- Dhaka Dist- East Champaran
7. Daroga Singh S/o- Jai Narayan Singh Village- Ward No-7, Vikrampur Ps- Dhaka Dist- East Champaran
8. Jaymangal Singh S/o- Sukhlal Singh Village- Ward No-7, Vikrampur Ps- Dhaka Dist- East Champaran
9. Chunnu Singh S/o- Late Harishankar Singh Village- Ward No-7, Vikrampur Ps- Dhaka Dist- East Champaran
10. Sanjay Mahato S/o- Shriram Mahato Village- Ward No-7, Vikrampur Ps- Dhaka Dist- East Champaran
11. Pratosh Kumar S/o- Ram Lagan Singh Village- Ward No-7, Vikrampur Ps- Dhaka Dist- East Champaran
12. Uday Singh S/o- Mosafir Singh Village- Ward No-7, Vikrampur Ps- Dhaka Dist- East Champaran
13. Jane Alam S/o- Sanaullah Ansari Village- Ward No-7, Vikrampur Ps- Dhaka Dist- East Champaran
14. Raj Kishore Singh S/o- Jay Narayan Singh Village- Ward No-7, Vikrampur Ps- Dhaka Dist- East Champaran
15. Chimni Lal Singh S/o- Ram Ayodhya Singh Village- Ward No-7, Vikrampur Ps- Dhaka Dist- East Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Reena Kumari CIRCLE OFFICER, DHAKA, PS DHAKA, MOTIHARI



... .. Respondent/s

Appearance :

For the Appellants : Mr. Yashraj Bardhan , Advocate
For the State : Ms. Usha Kumari 1, Spl.PP
For Respondent No. 2 : N o n e

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 25-07-2025 Heard learned counsel appearing for the appellants
and learned Spl.P.P. appearing on behalf of the State.

2. Despite valid service of notice, no one appears on
behalf of the informant/Respondent No. 2.

3. This appeal has been filed for setting aside order
dated 08.02.2024 passed in a case registered for the offence
punishable under Sections 147, 148, 341, 323, 353, 386, 387,
307, 354B, 506 and 427 of the Indian Penal Code and Section
3(2)(v) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act, whereby the prayer for grant of
anticipatory bail to these appellants has been rejected.

4. As per prosecution case, informant, namely Rina
Kumari, alleged that on the alleged date and time of occurrence,
she was executing the order of Patna High Court dated
08.01.2024 regarding encroachment in Vikrampur when all the
F.I.R. named accused persons, including these appellants, armed
with weapons, assaulted informant and other government



officials with brick, stone, sticks and rods and also destroyed public vehicles as a result of which several police and government official sustained injuries. It is further alleged that accused persons also abused informant by caste name.

5. It is submitted by learned counsel appearing on behalf of the appellants that appellants are quite innocent and have committed no offence. There are general and omnibus allegations and no specific accusation of overt act has been alleged against these appellants. It is not the case of the prosecution that any member of public was present at the place of occurrence and as such, no case under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is made out against these appellants.

6. On the other hand, learned Spl.P.P. appearing on behalf of the State has vehemently opposed this appeal and submitted that appellants are named in the F.I.R. with specific accusation that they, along with other accused persons, abused informant by caste name, obstructed government official in discharge of their official duties, damaged public vehicles and assaulted police officials.

7. Considering the facts and circumstances of the case and gravity of offence, the appellants' prayer for grant of



anticipatory bail is rejected and this appeal is dismissed.

(Prabhat Kumar Singh, J)

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