

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1216 of 2025

Arising Out of PS. Case No.-372 Year-2024 Thana- ATHMALGOLA District- Patna

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1. Rohit Kumar S/o Jalesh Ray @ Dilesh Ray @ Jalesh Kumar R/o vill - Kamrapar, P.S.- Athmalgola, Distt.- Patna
 2. Sonu Ray @ Bidhya Ray @ Sonu Kumar S/o Surendra Ray @ Sulendra Ray R/o vill - Kamrapar, P.S.- Athmalgola, Distt.- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Lalita Devi W/o Dayanand Das R/o vill - Kamrapar, P.S.- Athmalgola, Distt.- Patna

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Vijay Kumar

For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 02-04-2025 1. Heard learned counsel for the appellants and learned Additional Public Prosecutor for the State.
2. An order, dated 28.01.2025, passed by learned Exclusive Special Judge, SC/ST Act, Patna, in ABP No. 4950 of 2024, is under challenge in the present appeal preferred under Section 14-A (2) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, 1989, whereby the anticipatory bail application of the appellants in connection with Athmalgola Police Station Case No. 372 of 2024 registered for the offence punishable under Sections 126(2)/115(2)/74/352/351(2)/3(5) of the Bhartiya Nyaya Sanhita and Sections 3(1)(r)/3(1)(s) of



the Schedule Caste/Schedule Tribe (Prevention of Atrocities) Act, has been rejected.

3. The prosecution case, as per the First Information Report, is that the informant's father has four daughters. On 12.11.2024, in the afternoon, when the informant was going towards railway station to catch a train for Patna, in the meanwhile, the appellants started following her on a motorcycle. The appellants then teased and misbehaved with the informant due to which she returned back to her home. When the mother of the informant went to the appellants' house, she was abused in her caste name and the appellants threatened them of their life. It has further been stated that due to their social status, the appellants used to harass the informant and her family members.
4. Learned counsel for the appellants submits that the appellants have falsely been implicated in the present case due to the fact that the motorcycle, on which the appellants were going, fell in mud near the informant due to which mud splattered on her and for this reason the present First Information Report has been lodged. He next submits that caste name was not taken in full public view.
5. I have heard learned counsel for the appellants and have gone through the First Information Report.



6. It appear that the informant, who was going to the railway station, in order to catch train, was followed on motorcycle by the appellants and the appellants misbehaved and used abusive remarks against her. There is allegation that the appellants misbehaved with the informant due to her being the member of vulnerable section of the society. Considering the aforesaid and the nature of allegation in the First Information Report, I am not inclined to grant the appellants privilege of anticipatory bail.
7. This appeal is, accordingly, dismissed and the order, dated 28.01.2025, passed by learned Exclusive Special Judge, SC/ST Act, Patna, in ABP No. 4950 of 2024, is hereby affirmed.
8. However, if the appellants surrender before the concerned court and seeks regular bail, the same may be considered by the learned Exclusive Special Judge, SC/ST Act, Patna, without being prejudiced to the fact that the anticipatory bail of the appellants has been rejected.

(Anil Kumar Sinha, J)

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