

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1361 of 2024

Arising Out of PS. Case No.-4 Year-2024 Thana- ATRI District- Gaya

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1. Shakti Kumar Son Of Satyanarayan Singh @ Satyanarayan Sharma Resident Of Village - Tetua, P.S. - Atri, District - Gaya
 2. Ampu Singh @ Shashi Sharma Son Of Saroop Singh @ Ram Swaroop Singh Resident Of Village - Tetua, P.S. - Atri, District - Gaya
 3. Chhotu Kumar @ Amarjeet Kumar Son Of Yogendra Singh @ Yogendra Kumar Resident Of Village - Tetua, P.S. - Atri, District - Gaya

... .. Appellant/s

Versus

1. The State Of Bihar
2. Mahavir Choudhary Son Of Late Rajdev Choudhary Resident Of Village - Sahora, P.S. - Atri, District - Gaya

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Prakash Chandra Jha
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 25-09-2025 1. Heard learned counsel for the appellants, learned Special P.P. Mr. Binay Krishna 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 12.02.2024 in A.B.P. No. 31/2024, passed by the learned Court of Exclusive Special Judge SC/ST, Gaya in connection with Atri P.S. Case No.04/2024, registered under



Sections 341, 323, 325, 307, 379, 504, 34 of the Indian Penal Code as well as Sections 3(i)(r) and 3(2)(v-a) of the SC/ST Act.

3. Learned counsel for the appellants after arguing vehemently for sometime, realizing his difficulty, seeks permission to withdraw the appeal with respect to appellant no. 1, namely, Shakti Kumar and appellant no.3, namely, Chhotu Kumar @ Amarjeet Kumar.

4. Permission is accorded.

5. Learned counsel for the appellant submits that appellant no.2 is a person with clean antecedent and the informant alleges that on 04.01.2024 at about 12.15 P.M. his son Rahul was driving an auto, when 10-15 accused persons came on a motorcycle and started abusing by taking his caste name and thereafter Shakti and Chhotu assaulted Rahul by an iron fighter causing breakage of 3-4 teeth and also snatched his golden locket.

6. Learned counsel appearing on behalf of the appellant submits that from perusal of the allegation as alleged in the FIR, it would manifest that specific allegation of assault is against Shakti and Chhotu and as far as allegation against the appellant is concerned, no specific allegation is alleged against him and he has been implicated in the case merely for the reason



that he is known to Shakti and Chhotu.

7. Learned Special Public Prosecutor and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the appellant.

8. Considering the submission of the learned counsel for the appellant, the order impugned is set aside. Let the appellant, above named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.5,000/- (rupees five thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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

(Satyavrat Verma, J)

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