

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1234 of 2025

Arising Out of PS. Case No.-332 Year-2024 Thana- PARSA District- Saran

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1. Raj Kumar Ram S/o- Late Shivjee Ram Resident of Village- Latrahiya, P.S.- Parsa, District- Saran at Chapra
 2. Satendra Kumar Ram S/o- Gulab Chand Ram Resident of Village- Latrahiya, P.S.- Parsa, District- Saran at Chapra
 3. Amar Kumar @ Amarjit Kumar S/o- Balindra Rai @ Balindra Prasad Resident of Village- Latrahiya, P.S.- Parsa, District- Saran at Chapra
 4. Jay Prakash Narayan Yadav S/o- Late Paras Nath Rai Resident of Village- Latrahiya, P.S.- Parsa, District- Saran at Chapra
 5. Nanhak Rai @ Amrendra Kumar S/o- Baduri Rai Resident of Village- Latrahiya, P.S.- Parsa, District- Saran at Chapra
 6. Abhishek Kumar S/o- Jai Mangal Rai Resident of Village- Latrahiya, P.S.- Parsa, District- Saran at Chapra
 7. Gopal Kumar S/o- Shiv Kumar Sharma Resident of Village- Latrahiya, P.S.- Parsa, District- Saran at Chapra
 8. Utpalkant Kumar S/o- Yogendra Rai Resident of Village- Latrahiya, P.S.- Parsa, District- Saran at Chapra
 9. Karan Kumar S/o- Kaulash Sahni Resident of Village- Latrahiya, P.S.- Parsa, District- Saran at Chapra
 10. Amarjeet Kumar Sahani S/o- Saryug Sahani Resident of Village- Latrahiya, P.S.- Parsa, District- Saran at Chapra
 11. Sharavan Kumar S/o- Sudhish Sahani Resident of Village- Latrahiya, P.S.- Parsa, District- Saran at Chapra
 12. Arvind Sahani S/o- Sankar Sahani Resident of Village- Latrahiya, P.S.- Parsa, District- Saran at Chapra
 13. Somnath Kumar S/o- Jagdish Sahani Resident of Village- Latrahiya, P.S.- Parsa, District- Saran at Chapra
 14. Ravikesh Kumar S/o- Jairam Sahani Resident of Village- Latrahiya, P.S.- Parsa, District- Saran at Chapra
 15. Sujay Kumar Sahani S/o- Sukhal Sahani Resident of Village- Latrahiya, P.S.- Parsa, District- Saran at Chapra
 16. Sanjay Rai S/o- Nand Kishore Rai @ Nandu Rai Resident of Village- Latrahiya, P.S.- Parsa, District- Saran at Chapra

... .. Appellant/s

Versus

1. The State of Bihar
2. Rajesh Kumar Manjhi S/o- Ramnath Manjhi Resident of Village- Marar, P.S.- Parsa, District- Saran at Chapra

... .. Respondent/s



Appearance :

For the Appellant/s : Mr. Ajay Kumar Sharma, Adv.
For the Respondent/s : Mr. Binay Krishna, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 09-12-2025 Heard learned counsel for the appellants and learned
Spl. P.P. Mr. Binay Krishna for the State.

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 11.02.2025 in A.B.P. No. 414 of 2025 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Chapra, Saran in connection with Parsa P.S. Case No. 332 of 2024 registered for the offences punishable under Sections 191(2), 190, 126(2), 115, 118(i), 109, 132, 352, 351(i) and 3(5) of the B.N.S as well as Sections 3(1)(r)(w), 3 (2) (va) of the SC/ST Act.

3. Learned counsel for the appellants submits that at the outset seeks permission to withdraw the appeal with respect to appellant no. 7, 10, 12 and 13 who were arrested during pendency of the appeal.

4. Permission is accorded.

5. It is next submitted that appellant no. 4 and 16 have



antecedent of one case and rest of the appellants are persons of clean antecedents and the informant alleges that on 14.10.2024, the informant was performing his duty during immersion of goddess Durga and asked the Durga Puja Committee members to follow rules and to stop playing orchestra and vulgar songs but they refused and started abusing by taking caste name. Thereafter, 38 named accused persons started assaulting him with fighter, bracelet, sticks and rod causing injury on head. The learned counsel submits that from perusal of the office report dated 31.10.2025, it would manifest that notice has been validly served upon respondent no. 2 but respondent no. 2 chooses not to appear and contest.

6. Learned counsel for the appellants submits that from perusal of the allegation as alleged in the FIR, it would manifest that allegation of assault and abuse is general and omnibus in nature. It is also submitted that it does not appear probable that all 38 named accused persons in one go would have abused him by taking caste name. It is further submitted that though it is alleged that all the 38 named accused persons assaulted him but the nature of injury has been opined to be simple which also belies the allegation of assault by 38 accused persons.

7. Learned Spl. P.P. for the State opposes the prayer for



anticipatory bail of the appellants.

8. Considering the aforesaid facts, let the appellants above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with the aforesaid case, subject to the conditions as laid down under Section 482 (2) of the BNSS.

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

(Satyavrat Verma, J)

Siddharth Soni/-

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