

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1679 of 2024

Arising Out of PS. Case No.-229 Year-2023 Thana- BIHRA District- Saharsa

Neeraj Kumar S/o Ramesh Prasad Singh R/o Vill.- Rakiya, Ward No. 5, P.S.
Bihra and Distt.- Saharsa

... .. Appellant/s

Versus

1. The State of Bihar
2. Sajjan Paswan Son of Laxman Paswan ASI, Bihra Police Station, Saharsa

... .. Respondent/s

Appearance :

For the Appellant	:	Mr. Sanjeev Verma, Advocate
For the State	:	Mr. Binay Krishna, Spl.P.P.
For the Informant	:	N o n e

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-08-2025 Heard learned counsel appearing for the appellant and
learned Spl.P.P. appearing for 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 14.03.2024 passed in a case registered for the offence
punishable under Sections 342, 323, 353, 354B, 504, 506 and 34
of the Indian Penal Code and Sections 3(I)(r) and 3(I)(s) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, whereby the prayer for anticipatory bail of the
appellant has been rejected.

4. The prosecution case, in brief, is that on the
alleged date and time of occurrence, when informant along with



other police officials went to conduct a raid, all the F.I.R. named accused persons, including this appellant and 15 unknown persons, abused informant and others by caste name and assaulted them as a result of which three police officials sustained injuries.

5. It is submitted by learned counsel appearing on behalf of the appellant that appellant is quite innocent and has committed no offence. There are general and omnibus allegations of assault and no specific accusation of overt act has been alleged against this appellant. 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 the appellant. Appellant claims clean antecedents.

6. On the other hand, learned Spl.P.P. appearing on behalf of the State has vehemently opposed this appeal and submitted that appellant is named in the F.I.R. with specific accusation that he, along with other accused persons, abused informant by caste name and also assaulted the police party as a result of which three police officials sustained injuries and thus, created hindrance in discharge of their official duties.

7. Considering the facts and circumstances of the case



and nature of accusation, the prayer for grant of anticipatory bail
to the appellant is rejected and this appeal is dismissed.

(Prabhat Kumar Singh, J)

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