

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1800 of 2024

Arising Out of PS. Case No.-1721 Year-2023 Thana- PHULWARISHARIF District- Patna

Chikiya @ Vishal Kumar son of Dinesh Kumarsingh Village- Hinduni
Nainchak Ps- Phulwarisharif Dist- Patna

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Abhishek Kumar Srivastava

For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 12-11-2025 1. Heard learned counsel for the appellant and learned
Spl. P.P. for the State, Sri Binay Krishna.

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 11-3-2024 in A.B.P. No. 822 of 2024 passed by the
learned Special Judge S.C./S.T. (POA) Act, Patna in connection
with Phulwarisharif P.S. Case No. 1721 of 2023 registered for
the offences punishable under Sections 341, 323, 324, 354, 427,
504, 307 and 34 of the Indian Penal Code as well as Sections
3(1)(s)(w) of the SC/ST Act.

3. No one appears on behalf of the respondent No. 2.

4. Learned counsel for the appellant submits that



appellant is a person with clean antecedent and the informant alleges that on 7-12-2023, he along with his family members were on the way to attend a reception, when his co-villager, i.e., the accused persons including appellant intercepted and assaulted them, further Suraj assaulted informant's daughter, namely, Rishika with farsa causing injury on her head, thereafter appellant along with other accused assaulted his wife with lathi, farsa, and also acted inappropriately with her, and thereafter the accused fled after abusing the informant by his caste name.

5. Learned counsel for the appellant submits that the appellant has been falsely implicated in the instant case. It is next submitted that from perusal of allegation as alleged in the FIR, it would manifest that no specific allegation of assault is alleged against the appellant and the FIR does not even remotely suggests that the occurrence was witnessed by any independent witnesses. It is also submitted that since a false case has been instituted, as such the respondent No. 2 despite receiving notice chose not to appear and contest the case.

6. Learned Spl. P.P. for the State opposes the prayer for anticipatory bail of the appellant.

7. Considering the aforesaid facts, let the appellant above-named, in the event of his arrest or surrender before the



learned trial trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) 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.

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

(Satyavrat Verma, J)

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