

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2318 of 2024

Arising Out of PS. Case No.-144 Year-2024 Thana- PIRBAHOR District- Patna

RAJU KUMAR @ RAJU YADAV SON OF SHRI PAWAN KISHOR
YADAV @ PAWAN KISHOR RAY RESIDENT OF NAYAGAON, POLICE
STATION - PIRBAHORE, DISTRICT - PATNA

... .. Appellant/s

Versus

1. THE STATE OF BIHAR BIHAR
2. Santosh Paswan S/O- Late Dera Paswan R/O- Nayagaon, Front of Vishal Apartment, P.S.- Pirbahore, Dist.- Patna

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Raj Shekhar

For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 29-01-2025 1. Heard learned counsel for the appellant, learned counsel for the informant and learned Special Public Prosecutor.
2. The appellant apprehends his arrest in connection with Pirbahore P.S. Case No. 144 / 2024 dated 08.03.2024 registered for the offence under Section 341, 323, 379, 504, 506, 34 of the IPC read with Section 3(i)(r)(s), 3(2)(va) of the SC & ST Act and being aggrieved by the order dated 26.04.2024 passed in A.B.P. No. 1569 / 2024 by learned Exclusive Special Court, SC/ST Act, Patna has preferred this appeal for grant of anticipatory bail.



3. As per the first information report on 05.03.2024 the appellant stopped the E-Rickshaw of the informant, caught hold the informant by his collar, snatched his wallet having Rs. 1100/-, abused him by caste name and thereafter assaulted him brutally. The informant has alleged that earlier also on four occasions the appellant abused and assaulted the informant.

4. Learned counsel for the appellant submits that the appellant is innocent and did not commit any offence in the manner alleged. He submits that informant and the appellant are next door neighbour and the informant ran over his E-rickshaw over the legs of the appellant due to which some altercation took place and the informant falsely implicated the appellant in the present case. He further submits that there is three days unexplained delay in lodging the F.I.R. inasmuch as the occurrence took place on 05.03.2024 while the F.I.R. has been lodged on 08.03.2024.

5. On the other hand, learned counsel for the informant vehemently opposed the prayer for anticipatory bail.

6. Regard being had to the submission made by the parties, taking into consideration the nature of allegation, the appellant is having criminal antecedent mentioned in paragraph no. 3 of this application and in view of Section 18 of the SC/ST Act, I



am not inclined to grant anticipatory bail to the appellant. The
same is rejected.

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(Anil Kumar Sinha, J)

