

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2436 of 2024

Arising Out of PS. Case No.-185 Year-2024 Thana- MADHAURAH District- Saran

Abhishek Kumar Singh S/O - Nagendra Singh @ Narendra kumar singh R/o-
vill- Nagar panchayat Marhaurah ward no 9, P.S- Marhaurah, Dist- Saran at
Chapra

... .. Appellant/s

Versus

1. The State of Bihar
2. Mantu Vaspur S/O- Ram Bhajan Vaspur R/O - Vill - Marhaurah Khurd
Ward No - 13, Post - Marhaurah, P.S- Marhaurah, Dist- Saran At Chapra

... .. Respondent/s

Appearance :

For the Appellant	:	Mr. Saroj Kumar Choudhary, Advocate Mr. Dewanand Tiwari, Advocate
For the State	:	Mrs. Usha Kumari 1, Special P.P.
For the Informant	:	Mr. Rajesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 12-11-2025 Heard learned counsel for the appellant, learned

Special P.P., Mrs. Usha Kumari 1 and 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 22.04.2024, passed by learned SC/ST Exclusive
Special Judge, Chapra, Saran in connection with Marhaurah P.S.
Case No.185 of 2024, registered under Sections 341, 323, 324,
504, 379 and 34 of the Indian Penal Code and Sections 3(1)(r),



3(1)(s), 3(1)(w) and 3(2)(va) of the SC/ST Act.

3. Learned counsel appearing on behalf of the appellant submits that appellant is a person with clean antecedent and the informant alleges that on 24.03.2024 at about 03:00 p.m., he had gone to Ward No.9 of Nagar Panchayat, Marhowrah to install LED lights when appellant along with Nagendra Singh came and pressurized him to install the lights towards their house and when informant refused, they started abusing by taking caste name and looted 11 lights and fled away, thereafter the informant informed the Ward Councillor and when they came to the house of the accused persons, it is alleged that they were assaulted by knife causing injury and the accused persons also threatened the informant and the Ward Councillor.

4. Learned counsel for the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation, as alleged in the FIR, it would manifest that on account of dispute relating to installation of light, the occurrence is alleged to have taken place. It is further submitted that as far as allegation of looting 11 LED lights is alleged, the same is an exaggeration. It is further submitted that in order to give



seriousness to the case, it is alleged that the accused persons abused him by taking caste name. It is submitted that appellant was not even aware of the caste of the informant. It is next submitted that though it is alleged that accused persons assaulted the informant and the Councillor by knife but then from perusal of the injury report, annexed as Annexure-2, it would manifest that the injury has been caused by hard and blunt substance and has been opined to be simple in nature which amply demonstrates that allegation of assault by knife was alleged only to give seriousness to the case.

The learned Special P.P. and the learned counsel appearing on behalf of the informant oppose the appeal but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the appellant that appellant was not aware of the caste of the informant and the injury has been opined to be simple caused by hard and blunt substance.

5. Considering the submissions made by learned counsel appearing on behalf of the appellant, let appellant, above named, in the event of his arrest or surrender before the learned Trial Court within a period of six weeks from the date of receipt of the order, 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 in connection with Marhurrah P.S. Case No.185 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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

(Satyavrat Verma, J)

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