

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2108 of 2025

Arising Out of PS. Case No.-639 Year-2024 Thana- BHAGWAN BAZAR District- Saran

1. Umesh Prasad @ Umesh Kumar Prasad S/O Late Sripati Sah Resident of Village-Hanuman Nagar, Shyamchak More, P.S.- Bhagwan Bazar, Distt-Saran
2. Hari Shankar Rai @ Harishankar Rai @ Harishankar Yadav S/O Late Rameshwar Rai R/O Village-Chota Telpa, PS-Nagar Chapra, Distt-Saran

... .. Appellant/s

Versus

1. The State of Bihar
2. Manoj Singh @ Manoj Manjhi S/O Dashrath Manjhi Resident of Village-Shyamchak, P.S.- B. Bazar, Distt-Saran

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Dharmendra Kumar Singh
For the Respondent/s	:	Mr.Binay Krishna, Spl. PP
		Mr. Nawal Kishore Singh
		Mr. Kamlesh kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 15-10-2025 1. Heard learned counsel for the appellants, learned Spl. P.P. for the State and the 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 25-3-2025 in A.B.P. No. 829 of 2025 passed by the learned Exclusive Special Judge S.C./S.T. (POA) Act, Chapra, Saran in connection with Bhagwan Bazar P.S. Case No. 639 of



2024 registered for the offences punishable under Sections 115(2), 126(2), 303(2), 352, 3(5) of BNS as well as Sections 3(1)(r)(s) of the SC/ST Act.

3. Learned counsel for the appellants submits that the appellants have antecedent of three cases and the informant alleges that on 14-12-2024 while he was going to Gudri Bazar and reached near Ram Krishna gate, his motorcycle dashed with the appellants on account of which the accused persons surrounded him and started abusing by taking caste name and even assaulted by belt and knife causing injury and Umesh Prasad snatched his chain and also took Rs. 2,500/- from his pocket; and on alarm, informant's brother came and saved him.

4. Learned counsel appearing on behalf of the appellants submits that appellants have been falsely implicated in the instant case by the informant. It is next submitted that appellant No. 1 is a driver in the office of Lokayukt, Jharkhand and he resides mostly at Ranchi. It is further submitted that though it is alleged that appellants assaulted with belt and knife, but then from perusal of the order impugned, it would manifest that the wounds are lacerated.

5. The learned counsel appearing on behalf of the respondent opposes the appeal and submits that there is a



specific allegation against the appellants of assaulting the informant by belt and knife and of abusing by taking caste name. It is also submitted that the occurrence is alleged to have taken place near Ram Krishna gate, which is a public place, as such, a *prima facie* offence under the SC/ST Act is attracted. It is next submitted that though the injuries are opined to be lacerated, but then the informant suffered two injuries and FIR is not an encyclopedia. Learned Spl. PP submits that the investigation is still continuing and in the event if appeal is allowed, the appellants may abscond as they carry antecedent of three cases.

6. Considering the submission made by learned counsel appearing on behalf of the informant and learned APP, the Court is not inclined to entertain the appeal.

7. Accordingly, the appeal is dismissed.

(Satyavrat Verma, J)

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