

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2653 of 2024

Arising Out of PS. Case No.-274 Year-2023 Thana- ARIYARI District- Sheikhpura

Md. Abutala Son of Iqubal Miyan R/O Vill.- Navinagar Kakrar, P.S.- Ariyari,
Dist.- Sheikhpura

... .. Appellant/s

Versus

1. The State Of Bihar PATNA
2. Amir Kumar Son of Ashok Paswan R/O Vill.- Vidyapur, P.S.- Ariyari, Dist.-
Sheikhpura

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Dr. Anjani Pd. Singh, Advocate
For the Respondent/s	:	Mr. Shashank Chouhan, Advocate
For the State	:	Ms. Usha Kumari 1, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

7 22-07-2025 Heard Mr. Anjani Pd. Singh, learned counsel for the

appellant, Mr. Shashank Chouhan, learned counsel for the

respondent No.2 and Ms. Usha Kumari 1, learned Spl.P.P. for

the State.

2. This is an appeal under Sections 14(A)(2) against
refusal of the prayer for regular bail by order dated 14.05.2024
passed by the learned Court of Additional District and Sessions
Judge, Sheikhpura, in connection with Ariyari P.S. Case No. 274
of 2023, F.I.R. dated 20.09.2023 registered under Sections 341,
323, 379, 504, 506/34 of the Indian Penal Code and Sections



3(1)(r)(s)(w), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (POA) Act.

3. According to the prosecution case, on 20.09.2023 at around 2:30 P.M., Amir Kumar and his cousin Kaushal Kumar were returning home on a motorcycle with a gas cylinder when they were stopped near Navinagar Kakrar village by Md. Enayat Khan, Md. Abulata, and 4–5 unknown persons. The accused assaulted them with iron rods and punches, causing injuries. After falling down, the victims were abused and threatened with death. Amir informed his family using another phone, and they later came and took them for medical treatment.

4. Learned counsel for the appellant submits that appellant has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the F.I.R. is false and fabricated and the appellant has not committed any offence, as alleged in the F.I.R.

5. Learned counsel appearing on behalf of the Respondent No. 2 as well as learned Special Public Prosecutor for the State have vehemently opposed the prayer for bail of the appellant and submits that from bare perusal of the F.I.R., it appears that there is specific allegation of assault against the appellant and apart from that, the informant's side has received



four injuries, out of which, injury Nos. 1 and 4 are grievous injury and injury No.2 and 3 are simple in nature

6. Considering the facts and circumstances of the case, I am not inclined to grant privilege of anticipatory bail to the appellant in connection with Ariyari P.S. Case No. 274 of 2023 pending in the court of learned A.D.J. 1st, Sheikhpura.

7. Prayer is refused.

8. Accordingly, the impugned order is affirmed and this appeal stands dismissed.

(Rajesh Kumar Verma, J)

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