

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2975 of 2024

Arising Out of PS. Case No.-4 Year-2024 Thana- SC/ST District- Kishanganj

Jabbar @ Md Jabbar Son of Sajjad Ali Village-Katabari ,P.S.-Dighalbank
District- Kishanganj

... .. Appellant/s

Versus

1. The State of Bihar
2. Shekha Devi Wife Of Arun Mallik Village- Purana Market Tulsia, Ward No. 05, Padampur, P.S.- Dighalbank, Distt.- Kishanganj

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ram Prawesh Kumar, Advocate
For the Respondent/s : Mrs. Usha Kumari 1, Spl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-11-2025 Despite valid service of notice, none appears on behalf of the respondent no. 2.

2. Heard learned counsel appearing on behalf of appellant and Spl. Public Prosecutor.

3. This criminal appeal has been filed against the order dated 31.05.2024 passed by learned Additional Sessions Judge-1st-cum-Special Judge SC/ST, Kishanganj in connection with Kishanganj SC/ST P.S. Case No. 04 of 2024, registered under Sections 341, 323, 354, 504, 506/34 of the Indian Penal Code and Section 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellant has been rejected.



4. Allegation against the appellant, in a nutshell, is that this appellant along with other accused persons abused informant by caste name, assaulted her and threatened to set her house on fire.

5. Learned counsel for the appellant submits that appellant is innocent and has committed no offence. Appellant has falsely been implicated in this case with a view to harass and humiliate. Allegation of assault is general and omnibus. Insult caused to the informant was not solely on the basis of caste, as such, no case under SC/ST Act is made out against the appellant. Appellant claims clean antecedent.

6. However, learned Spl. Public Prosecutor appearing for the State vehemently opposes the prayer for bail of the appellant.

7. Considering the nature of accusation, I do not find any ground to interfere with the order of the learned court below and as such, the appeal, which has been filed for grant of anticipatory bail, is hereby rejected.

(Prabhat Kumar Singh, J)

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