

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3233 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- SC/ST District- Begusarai

Awadhesh Sah @ Awadesh Sah @ Avdhesh Sah son of Jilevi Sah Village-
Karoy Ps- Cheriabariyarpur Dist- Begusarai

... .. Appellant/s

Versus

1. The State of Bihar
2. Ranjit Chaudhary son of Late Kshatri Chaudhary Village- Karoy Ps-
Cheriabariyarpur Dist- Begusarai

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Shubhesh Pandey, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl.P.P.
	:	Mr. Arjun Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 04-12-2025 Heard learned counsel for the appellant, 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 03.07.2024 in A.B.A. No. 1240 of 2024 passed by
the learned court of Special Judge S.C./S.T. (POA), Begusarai in
connection with SC/ST P.S. Case No. 24 of 2024 registered for
the offences punishable under Sections 341, 323, 324, 325, 379,
354(B) and 34 of the Indian Penal Code as well as Sections 3(1)



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

3. Learned counsel for the appellant submits that the appellant has antecedent of four cases as per supplementary affidavit filed by the appellant and the informant alleges that he along with his mother was going to their field on 22.05.2024 when they are intercepted by the accused persons including the appellant near Kankarahi Ghat and appellant along with Krishna Sah started abusing by taking caste name and thereafter appellant assaulted by rod causing injury on hand, further, accused persons assaulted his mother and unveiled her and Krishna snatched the golden *chakti*.

4. Learned counsel for the appellant submits that the appellant has been falsely implicated in the instant case by the informant. It is next submitted that specific allegation of abuse by taking caste name is alleged, the same is general and omnibus in nature. It is further submitted that specific allegation against the appellant is of assaulting the informant by rod causing injury on hand but then it is submitted that date of occurrence is 22.05.2024 and the FIR instituted on 01.06.2024 i.e. after a delay of more than nine days without any plausible explanation, it is next submitted that had the occurrence of the nature as alleged taken place in that event, an FIR would have



been instituted promptly. It is thus submitted that delay in instituting the FIR casts an aspersion on the case of the prosecution.

5. Learned Spl. P.P. for the State along with learned counsel for the informant opposes the prayer for anticipatory bail of the appellant.

6. Considering the aforesaid facts, let the appellant above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, 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/successor court in connection with the aforesaid case, subject to the conditions as laid down under Section 482 (2) of the BNSS.

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

(Satyavrat Verma, J)

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