

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3458 of 2024

Arising Out of PS. Case No.-16 Year-2024 Thana- SASARAM MUFFSIL District- Rohtas

1. Sarfu Kuraishi @ Sharfuddin Kuraishi Son Of Kamrudin Kuraishi Village- Muradabad, Ps- Sasaram (M), Dist- Rohtas
2. Khalil Kuraishi Son Of Tahir Kuraishi Village- Muradabad, Ps- Sasaram (M), Dist- Rohtas
3. Jumman Kuraishi Son Of Naseem Kuraishi Village- Muradabad, Ps- Sasaram (M), Dist- Rohtas
4. Lallu Kuraishi @ Jasim Kuraishi Son Of Kalim Kuraishi Village- Muradabad, Ps- Sasaram (M), Dist- Rohtas
5. Afroz Kuraishi Son Of Firoz Kuraishi Village- Muradabad, Ps- Sasaram (M), Dist- Rohtas

... .. Appellant/s

Versus

1. The State of Bihar
2. Achaibar Ram Bikhar Ram R/village-Muradabad, Ward No. -05, P.S. Sasaram (M), District-Rohtas

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sanjay Kumar Tiwary, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 20-11-2025 Despite filing *Vakalatnama*, none appears on behalf of the respondent no. 2.

2. Heard learned counsel for the appellants and the State.

3. This appeal has been filed against the order dated 12.06.2024 passed by learned Additional District & Sessions Judge-XVII-cum-Special Court, SC/ST, Rohtas at Sasaram in connection with Sasaram (M) P.S. Case No. 16 of 2024



registered under Sections 147, 148, 149, 341, 323, 324, 325, 307 of the Indian Penal Code and Sections 3(1)(r)(s), 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellants has been rejected.

4. As per F.I.R., on the alleged date and time of occurrence, while playing Cricket, these appellants abused informant by caste name and assaulted him.

5. Learned counsel for the appellants submits that appellants are innocent and have committed no offence. As a matter of fact, while playing Cricket, altercation took place between the parties in which both sides sustained injuries. Case and counter case. Allegation against appellants is general and omnibus. No specific allegation of any overt act against the appellants. Insult was not caused solely on the ground that informant belongs to SC/ST category and as such, no case under SC/ST Act is made out against the appellants. Appellants claim clean antecedent.

6. Learned Spl. Public Prosecutor for the State vehemently opposed the bail application.

7. Considering the aforesaid facts, let the appellants, as named above, in the event of their arrest/surrender within a



period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-XVII-cum-Special Court, SC/ST, Rohtas at Sasaram in connection with Sasaram (M) P.S. Case No. 16 of 2024.

8. Accordingly, this criminal appeal is allowed and impugned order dated 12.06.2024 is set aside with respect to these appellants only.

(Prabhat Kumar Singh, J)

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