

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4753 of 2023

Arising Out of PS. Case No.-158 Year-2021 Thana- AHIYAPUR District- Muzaffarpur

Sachin Thakur Son Of Vinod Thakur Resident Of Village- Majhauria, P.S. -
Ahiyapur, District - Muzaffarpur

... .. Appellant/s

Versus

1. The State of Bihar
2. SOHAN KUMAR RAJAK SON OF KHAKHHU RAJAK RESIDENT OF
VILLAGE- MANJHOLIYA, P.S. - AHIYAPUR, DISTRICT -
MUZAFFARPUR

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Sheo Kumar Prasad
For the Respondent/s	:	Mr.Usha Kumari 1, Spl. PP
		Mr. Mukesh Kumar Suman
		Mr. Raj Kumar Choudhary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 02-12-2025 1. Heard learned counsel for the appellant; learned Spl.
P.P. for the State, Ms Usha Kumari No. 1 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 23-8-2023
in A.B.P. No. 2324 of 2023 passed by the learned Special Judge
S.C./S.T. (POA) Act, Muzaffarpur in connection with Ahiyapur
P.S. Case No. 158 of 2021 registered for the offences punishable
under Sections 341, 323, 307, 354, 354B, 504 and 34 of the Indian
Penal Code as well as Sections 3(1)(r)(s) of the SC/ST Act.



3. Learned counsel for the appellant submits that appellant is a person with clean antecedent and the informant alleges that on 27-2-2021, he had gone to Muhamadpur crossings, where his nephew and niece were present, further after purchasing some articles, they were returning home and when they reached near a *litchy* orchard when Arvind started teasing his niece, on protest Arvind assaulted her with an iron rod and when informant came to save her he was abused by taking his caste name and was assaulted, thereafter Arvind assaulted his nephew with an iron rod causing injury on head and when his nephew came to save him, Sunil assaulted his nephew with an iron rod causing injury on head and thereafter appellant along with Dharmendra acted inappropriately with informant's niece.

4. Learned counsel for the appellant submits that appellant has been falsely implicated in the instant case by the informant with general and omnibus allegation that he along with Dharmendra acted inappropriately with his niece. It is also submitted that the FIR also does not even remotely suggest that the occurrence was witnessed by any independent witnesses and it is reiterated and submitted that appellant is a person with clean antecedent and is a young boy aged about 20 years and in the nature of allegation if appellant is sent to judicial custody, in that event, his entire career would get jeopardized and the chances are



bright that he may come in contact with hardened criminals.

5. Learned Spl. P.P. for the State and the learned counsel appearing on behalf of 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 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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