

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4637 of 2024

Arising Out of PS. Case No.-113 Year-2024 Thana- BELCHHI District- Patna

Vijay Ram @ Vijay Son of Ashok Ram Resident of Ward No.8, Ekdanga, P.S.
- Belchhi, District - Patna

... .. Appellant/s

Versus

- 1 . The State of Bihar
- 2. Raushan Kumar Son of Luttan Chaudhary Resident of Village and P.O. - Saksohara, District - Patna

... .. Respondent/s

with

CRIMINAL APPEAL (SJ) No. 4266 of 2024

Arising Out of PS. Case No.-113 Year-2024 Thana- BELCHHI District- Patna

- 1 . Gautam @ Gautam Kumar @ Gautam Ram Son of Bimal @ Bipul Ram R/O-Village- Akdanga, P.S.- Belchhi, District- Patna
- 2. Manish @ Manish Kumar @ Manish Ram Son of Pappu @ Manju Ram R/O-Village- Akdanga, P.S.- Belchhi, District- Patna

... .. Appellant/s

Versus

- 1 . The State of Bihar
- 2. Raushan Kumar Son of Luhan Choudhary R/O-Village- Saksohra, P.S.- Saksohra, District- Patna

... .. Respondent/s

Appearance :
(In CRIMINAL APPEAL (SJ) No. 4637 of 2024)
For the Appellant/s : Mr. Chandra Shekhar Singh, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. PP
For informant : Mr. Rajesh Kumar Sinha, Advocate
(In CRIMINAL APPEAL (SJ) No. 4266 of 2024)
For the Appellant/s : Mr. Kumar Malendu , Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. PP
For informant : Mr. Rajesh Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 04-12-2025 **Re:- Cr. APP (SJ) 4637 of 2024**

Heard learned counsel for the parties.



2. This appeal has been filed for setting aside order dated 02.09.2024 passed in a case registered for the offence punishable under sections 323 , 341 , 307, 379, 504, 506 and 34 of IPC and sections 3(i)(r) (s) and 3(2)(v)(a) of the Scheduled Castes and Scheduled Tribes Act, whereby the prayer for anticipatory bail of the appellant has been rejected.

3 . As per the prosecution case, the informant, namely, Raushan Kumar alleged that on 24.05.2024 at about 06:30 PM, informant was returning, then all the F.I.R. named accused persons including this appellant came and abused him by caste name and snatched cash from him. Thereafter, this appellant along with other co-accused persons assaulted informant and others due to which they sustained injuries.

4. Learned counsel for the appellant submitted that appellant is innocent and has committed no offence as alleged. There is delay of 1 month in lodging the F.I.R. which itself creates doubt over the entire prosecution case . Allegation of assault is general and omnibus against this appellant. It is further submitted that insult was not caused on the basis of caste and as such, no case under SC/ST Act is made out. Appellant claims clean antecedent.

5 . Learned counsel for the respondent No. 2 as well



as learned special Public Prosecutor for the State opposed the prayer for bail and submitted that appellants are named in the F.I.R. and there is specific accusation that they along with other co-accused persons abused informant by caste name within public view and also assaulted as a result of which two persons sustained injuries.

6. Considering the aforesaid facts, seriousness and nature of accusation and gravity of offence , I do not find any reason to interfere with the impugned order, accordingly this appeal is dismissed.

Re:- Cr. APP (SJ) 4266 of 2024

Heard learned counsel for the parties.

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3 . As per the prosecution case, the informant, namely, Raushan Kumar alleged that on 24.05.2024 at about 06:30 PM, informant was returning, then all the F.I.R. named accused



persons including these appellants came and abused him by caste name and snatched cash from him. Thereafter, this appellant along with other co-accused persons assaulted informant and others due to which they sustained injuries.

4. Learned counsel for the appellants submitted that appellants are innocent and has committed no offence as alleged. There is delay of 1 month in lodging the F.I.R. which itself creates doubt over the entire prosecution case . Allegation of assault is general and omnibus against these appellants. It is further submitted that insult was not caused on the basis of caste and as such, no case under SC/ST Act is made out. Appellants claim clean antecedent.

5 . Learned counsel for the respondent No. 2 as well as learned special Public Prosecutor for the State opposed the prayer for bail and submitted that appellants are named in the F.I.R. and there is specific accusation that he along with other co-accused persons abused informant by caste name within public view and also assaulted as a result of which two persons sustained injuries.

6. Considering the aforesaid facts, seriousness and nature of accusation and gravity of offence , I do not find any reason to interfere with the impugned order, accordingly this



appeal is dismissed.

(Prabhat Kumar Singh, J)

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