

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4981 of 2024

Arising Out of PS. Case No.-30 Year-2024 Thana- DARAUNDA District- Siwan

Rohit Singh @ Rohit Kumar Singh Son of Santosh Singh @ Mantosh Kumar Singh R/O Village - Sawan Bigrah Tole Ramgarhi, P.S.- Daraunda, District-Siwan

... .. Appellant/s

Versus

1. The State of Bihar
2. Sita Devi wife of Brajesh Ram daughter of Shyam Bihar Ram Resident of village-Itahwa, Police Station-Itahwa, District-Basarihar (Uttar Pradesh), at present resident of village-Sawan Bigrah Tole Ramgarhi, Police Station - Daraunda, District - Siwan

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Shekhar Singh, Sr. Advocate Mr. Ajay Kumar Tiwary, Advocate
For the Respondent/s	:	Ms. Usha Kumari 1, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-02-2025 1. Heard Mr. Shekhar Singh, learned Senior Counsel for the appellant and Ms. Usha Kumari 1, learned Special P.P. for the State.

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 01.10.2024 in A.B.P. No. 1852 of 2024 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Siwan in connection with Daraunda P.S. Case No. 30 of 2024 registered under Sections 341, 323, 307, 427 and 120(B) of the Indian Penal Code, Sections 3(1)(r)(s) and 3(2)(va) of the SC/ST Act as well as Section 27 of the



Arms Act.

3. Learned Senior Counsel for the appellant submits that appellant is a person with clean antecedent and is a young boy aged about 19 years. It is further submitted that on account of dispute relating to purchase of paddy in between Dhan Kumar and informant, the occurrence is alleged to have taken place. It is next submitted that the informant alleges that the accused persons came and Rohit Kumar Singh (appellant) fired causing injury on left leg of the informant and thereafter Shivam Kumar Singh fired causing injury on the stomach of the informant's son while Ankit Kumar shot Manu Ram causing injury on his leg and Dhan Kumar Singh fired causing injury on chest and the second fire hit Jay Shankar Pandit on his leg.

4. Learned Senior Counsel for the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the occurrence is alleged to have taken in three stages. In the first stage, it was only Dhan Kumar Singh who had come to purchase straw from the informant when some dispute arose, thereafter Dhan Kumar Singh along with three others again came in which appellant was not there. It is next submitted that the appellant along with other named accused persons including Dhan Kumar



Singh again came to the house of the informant and thereafter the occurrence is alleged to have taken place. It is also submitted that if appellant had any intention of committing the occurrence, he would have accompanied Dhan Kumar Singh right from the beginning. It is further submitted that appellant is a young boy doing his BCA and the injury report was prepared on 11.02.2024 but the fardbeyan was recorded on 12.02.2024 at PMCH which amply demonstrates that the informant implicated the appellant after the injury report was prepared.

5. Learned Special Public Prosecutor opposed the prayer for anticipatory bail of the appellant and submits that there is a specific allegation against this appellant of firing causing injury on left leg of the informant. It is further submitted that apart from this appellant, other accused also fired causing firearm injury, as such, it is not a case where privilege of anticipatory bail be granted.

6. Considering the submissions made by the learned Special Public Prosecutor, the Court is not inclined to extend the privilege of anticipatory bail to the appellant.

7. Accordingly, this appeal stands rejected.

(Satyavrat Verma, J)

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