

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5571 of 2023**

Arising Out of PS. Case No.-181 Year-2023 Thana- SANOKHAR District- Bhagalpur

Md Arshad @ Saikh Arshad Son Of Seikh Idrish @ Md. Idrish Resident of
Village- Sohail, P.S. - Sanokhar, Distt- Bhagalpur

... .. Appellant/s

Versus

1. The State Of Bihar
2. Amlesh Kumar Son Of Ganesh Harijan resident of village - sohayal, p.s. -
Sanokhar, District - Bhagalpur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Swapnil Kumar Singh, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 24-06-2025 Heard Mr. Swapnil Kumar Singh, learned counsel for
the appellant and Mr. Binay Krishna, learned Special Public
Prosecutor for the State.

2. Learned Special Public Prosecutor for the State has
informed this Court that he has informed the respondent no. 2
through the Superintendent of Police, Bhagalpur despite of that
no one appeared on behalf of the respondent no. 2.

3. This is an appeal under Sections 14(A)(2) against
refusal of the prayer for anticipatory bail by order dated
28.11.2023 passed by the learned Additional District & Sessions
Judge-III-cum-Special Judge SC/ST Act, Bhagalpur in ABP No.
2824 of 2023 in connection with Sanokhar P.S. Case No. 181 of



2023, F.I.R. dated 24.07.2023 registered under Sections 147, 149, 323, 308, 379 and 504 of the Indian Penal Code and Sections 3 (i) (r) (s), 3 (2)(va) of the Scheduled Castes and Scheduled Tribes Act.

4. According to the prosecution case, the appellant and other accused persons have assaulted the informant and also abused him by his caste name.

5. Learned counsel for the appellant submits that appellant has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the appellant has not committed any offences as alleged in the F.I.R.

6. The learned Special Public Prosecutor on the basis of material available on record and case diary has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the appellant that he has abused the informant by caste name in public place, so the appellant is not entitled for the grant of anticipatory bail.

7. Considering the aforesaid facts, I am not inclined to grant the privilege of anticipatory bail to the appellants in connection with Sanokhar P.S. Case No. 181 of 2023 pending in the court of learned Additional District & Sessions Judge-III-



cum-Special Judge SC/ST Act, Bhagalpur.

8. 7. Accordingly, the impugned order is affirmed and
this appeal stands dismissed.

(Rajesh Kumar Verma, J)

Jyoti Kumari/-

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