

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.127 of 2024

Arising Out of PS. Case No.-423 Year-2023 Thana- ALOULI District- Khagaria

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YOGENDRA KEWAT @ YOGENDRA MAHTO SON OF LATE
NANDLAL KEWAT RESIDENT OF VILLAGE - DAKSHINI BAHORWA,
P.S. - ALAULI, DISTRICT - KHAGARIA

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

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Appearance :

For the Appellant	:	Mr. Ram Sumiran Rai, Advocate
For the State	:	Ms. Usha Kumari 1, Spl.PP
For the Informant	:	N o n e

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-07-2025 Heard learned counsel appearing for the appellant and
learned Spl.P.P. appearing on behalf of the State.

2. Despite valid service of notice, no one appears on
behalf of the informant.

3. This appeal has been filed for setting aside order
dated 08.12.2023 passed by the learned Additional Sessions
Judge-1st-cum-Special Judge SC/ST Act, Khagaria in a case
registered for the offence punishable under Sections 341, 323,
385, 504, 506 and 34 of the Indian Penal Code and Section 3(i)
(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention
of Atrocities) Act, whereby the prayer for anticipatory bail of



the appellant has been rejected.

4. As per prosecution case, informant, namely Munna Kumar, alleged that on 03.09.2023 when he was fishing, in the meantime, this appellant arrived there and asked for fish and abused with caste slurs. It is further alleged that this appellant assaulted informant with butt of pistol.

5. It is submitted by learned counsel appearing on behalf of the appellant that appellant is quite innocent and has committed no offence. Petitioner has falsely been implicated in this case with ulterior motive. It is not the case of the prosecution that any member of public was present at the place of occurrence and as such, no case under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is made out against the appellant.

6. On the other hand, learned Spl.P.P. appearing on behalf of the State has vehemently opposed this appeal and submitted that appellant is named in the F.I.R. with specific accusation that he assaulted informant and abused him by caste name. Appellant has got three criminal antecedents.

7. Considering the facts and circumstances of the case, specific and direct nature of accusation and criminal antecedents of the appellant, appellant's prayer for grant of pre-



arrest bail is rejected and this appeal stands dismissed.

(Prabhat Kumar Singh, J)

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