

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.109 of 2026

Arising Out of PS. Case No.-373 Year-2024 Thana- RAJAON District- Banka

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Aayush Kumar @ Ayush Kumar Son of Gangadhar Singh @ Fantush Singh
R/o Village - Naripa, P.S. - Rajoun, District - Banka.

... .. Appellant/s

Versus

1. The State of Bihar
2. Juli Devi Wife of Sunil Rajak R/o Village - Naripa, P.S. - Rajoun, District - Banka.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Brij Nandan Prasad, Adv.
For the Respondent/s	:	Mr.Binay Krishna, Spl. P.P.
For the O.P. No. 2	:	Mr. Pankaj Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 16-04-2026 Heard learned counsel for the appellant, learned
Spl.P.P. for the State and learned counsel for the informant.

2. This is an appeal under Sections 14(A)(2) against refusal of the prayer for anticipatory bail by order dated 14-11-2025 passed by the learned District & Additional Sessions Judge-1-cum-Special Judge, SC/ST (POA) Act, Banka in connection with Rajoun P.S. Case No. 373 of 2024 registered under Sections 126(1), 115(2), 352, 351(2), 110, 3(5) of B.N.S. and 3(i) of SC/ST (POA) Act.

3. As per prosecution case, on 12-07-2024, the appellant is alleged to have come at the house of the informant and in consequent thereupon, he abused her and assaulted with



iron rod, as a result of which, the informant sustained injury. A golden chain and Rs. 20,000/- cash is also alleged to have been snatched away in the occurrence.

4. Learned counsel for the appellant has submitted that the appellant is innocent and he has falsely been implicated in this case. The occurrence, whatsoever has not taken place in a public view. More so, during the occurrence, no caste name has been uttered by the appellant. There is no specific allegation against the appellant rather general and omnibus allegation has been levelled against him.

5. Learned Special Public Prosecutor for the State has vehemently opposed the prayer for bail of the appellant based upon the allegation made in the F.I.R.

6. From the reading of the allegations levelled in the FIR, it does not appear that at the time of alleged occurrence, any public was present. Further there is no allegation of caste based abuse to the informant, except a general and omnibus allegation regarding altercation between the appellant and the informant. It has also come to light that prior to this FIR, the informant had earlier also filed a Complaint Case bearing C-1295 of 2024 against the appellant for the same cause of action, in which, the process is said to have been issued. The injuries



suffered by the informant stated to be simple in nature.

6. Considering all these aspects of the matter, I am inclined to grant anticipatory bail to the appellant and accordingly, the impugned order dated 14-11-2025 passed by the learned District & Additional Sessions Judge-1-cum-Special Judge, SC/ST (POA) Act, Banka in connection with Rajoun P.S. Case No. 373 of 2024 is set aside and the appeal stands *allowed*.

7. Let the appellant, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing each of them bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge-1-cum-Special Judge, SC/ST (POA) Act, Banka in connection with Rajoun P.S. Case No. 373 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Alok Kumar Sinha, J)

A.K.V.//-

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