

CRIMINAL APPEAL (SJ) No.255 of 2026

Arising Out of PS. Case No.-172 Year-2020 Thana- JAMUI District- Jamui

1. Janardan Singh Son of Late Jhari Singh Resident of Village - Lakhanpur, Police Station and District - Jamui.
2. Sushil Kumar Singh @ Mantu Singh Son of Late Mahendra Singh Resident of Village - Lakhanpur, Police Station and District - Jamui.
3. Amresh Singh @ Belu Singh @ Amresh Kumar Singh Son of Ashok Singh Resident of Village - Lakhanpur, Police Station and District - Jamui.
4. Ajay Singh @ Ajay Kumar Singh Son of Sita Ram Singh Resident of Village - Lakhanpur, Police Station and District - Jamui.

... .. Appellant/s

Versus

1. The State of Bihar
2. Ajit Kumar Son of Late Amrika Manjhi Resident of Village - Lakhanpur,
Police Station and District - Jamui.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Vijay Kumar, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Special PP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

3 17-06-2026 1. Heard learned counsel for the appellants and
learned Special P.P. for the State, Mr. Sadanand Paswan.

2. The learned counsel for the appellants submits that from perusal of the office report dated 08.04.2026, it would manifest that ordinary notice has been validly served on



respondent, but respondent no. 2 despite receiving notice chooses not to appear and contest.

3. 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 05.01.2026 in A.B.P. No. 1901 of 2025 passed by the learned 1st Additional Sessions Judge, Jamui in connection with Jamui P.S. Case No. 172 of 2020 registered for the offences punishable under Sections 147, 148, 149, 302, 307, 504 and 506 of the Indian Penal Code as well as Section 3(2)(v) of the SC/ST Act.

4. Learned counsel for the appellants submits that appellants are persons with clean antecedent. It is next submitted that no doubt allegation is of murder, but then specific allegation of assaulting the deceased is against Chandan. It is further submitted that police after threadbare investigation came to a considered conclusion that appellants are innocent and thus submitted Final Form No. 752 of 2023 dated 10.11.2023 exonerating the appellants of the allegations as alleged in the FIR, but then the learned Trial Court differing with the police report took cognizance, as such, appellants apprehend arrest. It



is further submitted that when one Investigating Agency after threadbare investigation came to a considered conclusion that appellants are innocent whether it would be prudent for the Court to send the appellants to jail based on an order of cognizance which came to be taken based on the same police report which exonerated the appellants of the allegations.

5. Learned Special P.P. for the State opposes the appeal, but then is not in a position to rebut the submission of the learned counsel appearing on behalf of the appellants that police after investigation submitted final form exonerating the appellants of the allegation, but then it is submitted that since cognizance has been taken, as such, a *prima facie* case is made out.

6. After hearing the learned counsel for the parties, the Court was inclined to extend the privilege of anticipatory bail to the appellants, but since cognizance has been taken by the learned Trial Court differing with the police report, as such, **the appeal is disposed of** with a direction to the appellants to surrender before the learned Trial Court on 03.07.2026.

7. It is made clear that if the appellants surrender on 03.07.2026, in that event the learned Trial Court shall consider and dispose of the case on the same day keeping in



mind the fact that police after investigation submitted final form
exonerating the appellants of the allegations as alleged in the
FIR.

(Satyavrat Verma, J)

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