

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.334 of 2026

Arising Out of PS. Case No.-101 Year-2025 Thana- SASARAM MUFFSIL District- Rohtas

Sadhu Pandey @ Manoj Kumar Pandey @ Manoj Pandey S/O Late Mukteshwar Pandey R/O Village- Chhotka Mor, P.S.- Sasaram (M), District- Rohtas

... .. Appellant/s

Versus

1. The State of Bihar
2. Kamlesh Ram S/O Late Shiv Muni Ram R/O Village- Chhotka Mor, P.S.- Sasaram (M), District- Rohtas

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Mithilesh Kumar Singh
For the Respondent/s : Ms.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 22-06-2026 1. Heard learned counsel for the appellant and learned Spl. P.P. for the State, Ms Usha Kumari No. 1.

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 9-12-2025 passed by the learned Special Court S.C./S.T. (POA) Act, Sasaram, Rohtas in connection with Sasaram (M) P.S. Case No. 101 of 2025 registered for the offences punishable under Sections 109, 115(2), 127(1), 352, 351(2) and 3(5) of the BNS and Section 27 of the Arms Act as well as Sections 3(1)(r), 3(i)(s), 3(ii)(v) of the SC/ST Act.



3. Learned counsel for the appellant submits that the appellant has antecedent of one case but then the said FIR was also with respect to the same occurrence. It is next submitted that the informant alleges that on 15-3-2025 at 4:30 PM, he saw that his nephew (Govind) was being assaulted by Naga, Sadhu, Dharmendra, Sushil and Antu by lathi and the accused were also dragging him, further Dharmendra, Bhutali and Naga gave orders to shoot, thereafter Sadhu brought a pistol and fired causing fire arm injury to his son (Ritesh) on stomach.

4. Learned counsel for the appellant submits that the appellant has been falsely implicated in the instant case by the informant. It is next submitted that for the same occurrence, Sasaram (M) PS Case No. 99 of 2025 was instituted. It is further submitted that the instant FIR is the second FIR. It is also submitted that in the FIR instituted by police the allegation of firing though is alleged but then is not specific.

5. Learned Spl. P.P. for the State opposes the prayer for anticipatory bail of the appellant and submits that when the occurrence was committed, the police was not present at the place of occurrence and the FIR has been instituted by father of the injured, who specifically alleges that this appellant brought a pistol and fired causing injury on his stomach. It is further



submitted that if privilege of anticipatory bail is granted to the appellant, the appellant may abscond.

6. Considering the submission made by learned Spl.PP, the Court is not inclined to extend the privilege of anticipatory bail to the appellant.

7. Accordingly, the appeal is dismissed.

(Satyavrat Verma, J)

Sumit/-

U		T	
---	--	---	--

