

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.497 of 2026

Arising Out of PS. Case No.-247 Year-2025 Thana- SAHPUR District- Bhojpur

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1. Ankit Tiwari S/o Amarjeet Tiwari R/o Village - Barisvan, P.S.- Shahpur, District - Bhojpur
 2. Samrajit Tiwari S/o Mahanand Tiwari R/o Village - Barisvan, P.S.- Shahpur, District - Bhojpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Meena Devi W/o Ramjee Ram R/o P.O - Bariswan, P.S.- Shahpur, District - Bhojpur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Akanksha Malviya
For the Respondent/s	:	Mr. Binay Krishna
		Mr. Radhe Shyam Kumar
		Mr. Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 16-07-2026 1. Heard the learned counsel for the appellants, the learned counsel appearing on behalf of the informant and the learned Special Public Prosecutor for the State.

2. The appellants have challenged the order dated 13.01.2026 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, Bhojpur at Ara in connection with Shahpur P. S. Case No.247 of 2025, instituted for the offences under Sections 126(2), 115(2), 118(1), 109(1), 352, 351(2), 3(5) and 103(1) of the B.N.S. and Section 3(1)(r)(s), 3(2)(va), 3(1)(w) of the Scheduled



Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby their prayer for grant of anticipatory bail has been rejected.

3. The learned counsel appearing on behalf of the appellants submits that appellant no.1 is a person with clean antecedent and appellant no.2 has antecedent of two cases. It is next submitted that informant alleges that she had gone to the house of Shili Devi to see her as she was ill, when six named accused persons including the appellants came and started threatening Shili Devi to withdraw the case, on which the informant intervened when the accused persons assaulted her by fists, lathi, Axe causing injury and also abused by taking caste name. Further, on account of assault, she became unconscious, thereafter the villagers informed the police and the police admitted her in a hospital from where she was referred to PMCH.

4. The learned counsel for the appellants submits that appellants have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that the entire occurrence took place at the house of Shili



Devi, as such, was not in public view. It is also submitted that allegation of assault is not specific rather is general and omnibus in nature.

5. The learned Special P.P. and the learned counsel appearing on behalf of the informant opposes the appeal. The learned counsel appearing on behalf of the informant submits that the informant during the course of treatment died and he has a copy of the post mortem report and from perusal of the same, it would manifest that informant suffered injury on her face, back and chest and the doctor has recorded the cause of death:- *Injury to vital organ of brain leading to shock and death due to brain injury*. It is further submitted that post mortem report also records:- *swelling on left side face and jaw, swelling on left side forehead and left side head, fracture of right side chest rib*. The learned counsel for the informant thus submits that allegation of assault may not be specific, but then the informant died on account of injury suffered on account of assault. It is also submitted that investigation is continuing.

6. After hearing the learned counsel for the parties, and taking into consideration the submissions made by the



learned counsel appearing on behalf of the informant, the
Court is not inclined to allow the appeal.

7. The prayer of the appellants for anticipatory
bail stands rejected.

(Satyavrat Verma, J)

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