

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.569 of 2026

Arising Out of PS. Case No.-388 Year-2025 Thana- FATUA District- Patna

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Anurag Kumar @ Rustam S/o Awadesh Paswan Resident of Village-
Aachhechak, P.S.- Parsa Bazar, District- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Rajesh Kumar S/o Krishna Prasad R/o vill - Dhamaul, P.s.- Parsa Bazar,
Distt.- Patna

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Ayushi Gupta

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 16-06-2026 1. Heard learned counsel for the appellant and
learned Special P.P. for the State.

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 13.01.2026 in A.B.P. No. 4326 of 2025 passed by
the learned Exclusive Special Judge S.C./S.T. (POA) Act, Patna
in connection with Fatuha P.S. Case No.388 of 2025, registered
for the offences punishable under Sections 103(1), 309(6) of the
Indian Penal Code as well as Sections 27 of the Arms Act.

3. Learned counsel for the appellant submits that



appellant is a person with clean antecedent and the informant alleges that on 31.05.2025 he receive a call from Alamganj P.S. informing that two injured persons were found, on seeing the photo of the injured, the informant identified his elder brother Hariom lying dead and other was his friend Ravi, lying in an injured condition, further Ravi disclosed that both of them were roaming for work and met Vishal, who called two unknown accused, but an altercation took place between Vishal and the two unknown accused persons and the unknown accused fired killing Hariom and injuring him.

4. Learned counsel for the appellant submits that appellant has been falsely implicated in the instant case during the course of investigation based on confessional statement of Vishal. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that Ravi did not disclose the name of the two unknown accused who were called by Vishal, when he disclosed about the occurrence to the informant, as such appellant is not named in the FIR.

5. Learned Special P.P. for the State opposes the appeal and submits that what is not in dispute rather stands admitted is that own brother of the appellant Hariom died on account of firing and Ravi was injured. It is further submitted



that though Ravi did not disclose the name of the two unknown accused who were called by Vishal but then from tenor of allegation, it would manifest that even Ravi was not knowing the accused persons who were called by Vishal. It is also submitted that it is specifically alleged that an altercation took place in between two unknown accused and Vishal which led to firing in which Hariom died and Ravi was injured. It is further submitted that name of the appellant transpired in the confessional statement of Vishal and it was Vishal, who had called the unknown accused. It is also submitted that one person died and other was in an injured condition and the investigation of the case is continuing as such it is not a fit case for grant of anticipatory bail.

6. After hearing the learned counsel for the parties and also taking into submissions made by the learned Special P.P., the Court is not inclined to extend the privilege of anticipatory bail to the appellant.

7. Accordingly, the appeal is rejected.

(Satyavrat Verma, J)

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