

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.963 of 2024

Arising Out of PS. Case No.-560 Year-2023 Thana- GAURICHAK District- Patna

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Ankit Kumar @ Ankit S/O Sanjay Prasad R/O Sohgi Kushpar, P.S-
Gaurichak, Distt.- Patna As Per F.I.R, R/O- Vill- Sewdaha, P.S- Dhanarua,
Distt.- Patna (As Wrongly Mentioned In F.I.R).

... .. Appellant/s

Versus

1. The State of Bihar
2. Poonam Devi W/O Late Gudu Paswan R/O Vill- Jalalpur, P.S- Dhanarua,
Distt.- Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Amaresh Kumar, Advocate
For the Respondent/s : Ms. Usha Kumari 1, SPP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

6 19-02-2026 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State. Perused the case diary.

2. The instant appeal has been filed by the appellant
against the order dated 12.01.2024 passed by learned Additional
Sessions Judge-cum-Special Judge, SC/ST Act, Patna whereby
the prayer for anticipatory bail of the appellant in connection
with Special Case No. 419 of 2023, arising out of Gaurichak PS
Case No. 560 of 2023 instituted under Sections 147, 148, 149,
341, 323, 307, 302, 337, 338 & 34 of the Indian Penal Code &
Sections 3(r)(s)(w) & 3(2)(va) of SC/ST Act was rejected.

3. The informant alleges that on 30.09.2023 her
husband went to Patna on his pick-up vehicle. Near village



Kushpar, he was allegedly assaulted by Naresh Kewat, Upendra Kewat, Raju, Ankit, and 20–25 unknown persons using iron rods, lathis, dandas, and stones.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. The appellant is named in the FIR. There is no specific allegation against the appellant. It is submitted that the husband of the informant died in mob lynching and merely appellant was passerby, he has been identified via CCTV footage. Informant is not the eye witness to the occurrence. Learned counsel for the appellant further submits that the appellant has not taken the caste name of the informant in public view. Hence, no offence under the provisions of SC/ST Act is made out against him. The appellant has no intention to disgrace the image of the informant in public view. The appellant has no criminal antecedent.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the appellant. By referring to paragraph no. 19 of the case diary, which contains the confessional statement of the co-accused, namely, Shiv Balak Ram, it is submitted that the said co-accused has stated that the appellant assaulted the deceased with bricks.



It is further alleged that the deceased had earlier rammed his pickup van into the appellant’s two-year-old son, resulting in the child’s death on the spot

6. Considering the aforesaid facts and circumstances of the case, this Court does not find it a fit case for grant of anticipatory bail. Appeal is, accordingly, *dismissed*.

7. However, if the appellant surrenders before the court below within a period of four weeks from today and prays for regular bail, the same would be considered by the court below in accordance with law without being prejudiced by the order of this Court.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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