

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.767 of 2026

Arising Out of PS. Case No.-134 Year-2024 Thana- PAROO District- Muzaffarpur

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1. Niraj Sahni @ Neeraj Kumar S/o- Bhagyanarayan Sahni R/v- Koiriya Khash Ps- Paroo Dist- Muzaffarpur
 2. Ratnesh Sahni @ Ratnesh Kumar S/o- Bhagyanarayan Sahni R/v- Koiriya Khash Ps- Paroo Dist- Muzaffarpur

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Ravindra Paswan S/o- Mahendra Paswan R/v- Gadhampur Ps- Paroo Dist- Muzaffarpur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Chandra Shekhar Anand, Advocate
For the Respondent/s : Mr.Sadanand Paswan, Special PP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 22-07-2026 1. Heard learned counsel for the appellants and learned Special P.P. for the State, Mr. Sadanand Paswan, no one appears on behalf of the informant.

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 11.09.2025 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Muzaffarpur in connection with Paroo P.S. Case No. 134 of 2024 registered for the offences punishable under Sections 147,



148, 149, 341, 323, 324, 307, 504, 506 of the Indian Penal Code as well as Sections 3(1)(r)(s) of the SC/ST Act.

3. In view of the grounds taken in the limitation application delay of 65 days in filing the appeal is condoned, as such, IA No. 01 of 26 is allowed.

4. Learned counsel for the appellants submits that appellants are persons with clean antecedent and the informant alleges that on 01.05.2024 15 named accused persons including the appellants were fishing in the pond of the informant which he had taken on lease, accordingly his brother (Ramnarayan), objected, hence the accused persons assaulted him and his brother and abused by taking caste name and Rajesh spat and made them lick the spat forcefully, thereafter fled leaving them in an injured condition.

5. Learned counsel appearing on behalf of the appellants submits that appellants have been falsely implicated in the instant case by the informant, it is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that on account of dispute relating to fishing, the occurrence is alleged to have taken place, it is also submitted that even presuming what has been alleged is true without admitting then it was Rajesh who spat and made the informant



and his brother lick the same.

6. Learned Special P.P. for the State, Mr. Sadanand Paswan vehemently opposes the appeal and submits that from perusal of the allegation as alleged in the FIR, it would manifest that occurrence took place in a public place, it is also submitted that there is a specific allegation that Rajesh spat and made them lick the spat, it is next submitted that presence of the appellants along with other accused persons at the place of occurrence emboldened Rajesh to commit such an occurrence, it is also submitted that informant and his brother were assaulted even.

7. Considering the submissions made by the learned Special PP for the State, the Court is not inclined to extend the privilege of anticipatory bail to the appellants.

8. This application stands rejected.

(Satyavrat Verma, J)

Nitesh/-

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