

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1086 of 2025

Arising Out of PS. Case No.-239 Year-2024 Thana- ASHTHAWAN District- Nalanda

Shiv Ratan Chauhan @ Shiv Jatan Chauhan S/o Ramjatan Chauhan Resident
of village- Gannichak, P.S. Asthawan, District- Nalanda

... .. Appellant/s

Versus

1. The State of Bihar
2. Tetari Kumari W/o Umesh Paswan R/o vill - Nigampura, P.S.- Ashtawan,
Distt.- Nalanda

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Arjun Prasad, Advocate
For the Respondent/s : Mr. Usha Kumari 1, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

5 25-02-2026 Heard learned counsel for the appellant and learned

Special Public Prosecutor appearing for the State. Although the
notice has been validly served upon respondent No.2, there is no
representation on his behalf.

2. This appeal under Section 14A(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 has been directed against the order dated
24.02.2025 passed by learned Additional Session Judge-VIth-
cum-Special Judge, SC/ST (PoA) Act, Nalanda in connection
with Asthawan P.S. Case No. 239 of 2024 registered under
Sections 191(2), 190, 126(2), 115(2), 352, 117(2) and 109 of the
B.N.S., Section 27 of the Arms Act and Section 3(1)(r)(s) of
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989, whereby the prayer for grant of



anticipatory bail of the appellant has been rejected.

3. As per the prosecution case, on 13.10.2024 at 06:00, while the informant was going to visit a doctor along with his son and reached near the village temple, the appellant and the co-accused persons are alleged to have asked them to stop their vehicle, to which the son of the informant said that they are going to a doctor, they assaulted the informant's son with iron rod and the co-accused Dayanand Chauhan opened fire and abused the informant's son by calling his caste name. On hulla, villagers gathered and the informant's son was taken to hospital for treatment.

4. Learned counsel appearing for the appellant submits that the appellant, who bears one criminal antecedent, is innocent and has not committed the offence alleged. He further submits that it appears from the F.I.R. itself that there is general and omnibus allegation against all the accused persons. The specific allegation of firing is against the co-accused Dayanand Chauhan. It is also submitted that as regards the allegation of abuse by caste name is concerned, it does not appear to be in a public place as none of the persons have been disclosed before whom the alleged abuse was made when the alleged occurrence took place. It is further submitted that co-accused, Ram Ratan



Kumar @ Ram Ratan Chauhan has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order 25.11.2025 passed in Cr. Appeal (SJ) No. 644 of 2025. Hence, the impugned order may be set aside and the appellant may be granted the privilege of anticipatory bail.

5. Learned Special Public Prosecutor for the State has vehemently opposed the prayer for grant of anticipatory bail to the appellant and submitted that the appellant has participated in the present occurrence.

6. Considering the entire facts and circumstances of the case and also the fact that the co-accused, having more or less similar allegation, has already been granted the privilege of anticipatory bail by a Co-ordinate Bench of this Court, let the above named appellant, in the event of his arrest/surrender within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Session Judge-VIth-cum-Special Judge, SC/ST (PoA) Act, Nalanda in connection with Asthawan P.S. Case No. 239 of 2024 subject to the conditions laid down under Section 482(2) of the B.N.S.S.

7. Accordingly, this appeal is allowed and the



impugned order dated 24.02.2025 rejecting the prayer for grant
of anticipatory bail to the appellant is set aside.

(Praveen Kumar, J)

Shivam/-

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

