

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1330 of 2025

Arising Out of PS. Case No.-461 Year-2024 Thana- MADHUBAN District- East Champaran

Bikesh Paswan @ Vikesh Kumar Son of Pundev Paswan @ Fuldev Paswan
@ Punyadev Paswan Resident of village - Madhuban Mela Bazar, Ps-
Madhuban, Dist- East Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Mostt. Rinku Devi Wife of Late Naresh Baitha Resident of village -
Madhuban Mela Bazar, Ps- Madhuban, Dist- East Champaran

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Abhishek Kumar, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl. Public Prosecutor
For the R. No. 2	:	Mr. Suraj Kumar Tiwari, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 23-04-2026 Heard learned counsel appearing on behalf of
appellant, respondent no. 2 and Spl. Public Prosecutor.

2. This appeal has been filed for setting aside order dated 19.02.2025 passed by learned Special Judge SC/ST Act, East Champaran, Motihari in ABP No. 588 of 2025 arising out of Madhuban P. S. Case No. 461 of 2024 registered for the offences punishable under Sections 140(3), 118(1), 118(2), 109, 303(2), 61(2) and 3(5) of the B.N.S. and Section 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for grant of anticipatory bail of this appellant has been rejected.

3. As per prosecution case, informant, namely Most.



Rinku Devi, alleged that on 31.10.2024 at about 10 PM, when informant and her son, namely Bajrangi Kumar, was sleeping, in the meantime, co-accused Sajan Kumar came there and took son of informant away on a scooty. Later, one Rajan Kumar came and informed the informant that her son has been assaulted with knife on his abdomen, chest and back due to which he was injured and there was bleeding and he was thrown in front of Oxford School on the road. Thereafter, the son of informant informed her the name of all the accused persons, including this appellant, who snatched money from his pocket and upon objection, assaulted him.

4. It is submitted by learned counsel appearing on behalf of the appellant that appellant is quite innocent and has committed no offence. Appellant has falsely been implicated in this case due to village politics. Moreover, allegation of assault is general and omnibus and no specific accusation of overt act has been alleged against this appellant. It is further submitted that there is absolutely no allegation of abuse by caste name against this appellant and as such, no case under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is made out against this appellant. Appellant claims clean antecedent.



5. On the other hand, learned Spl. P.P. appearing for the respondent-State has vehemently opposed the prayer for grant of bail to the appellant and submitted that appellant is named in the F.I.R. and there is specific accusation that he, along with other accused persons, attacked son of informant, snatched his money and assaulted on his abdomen, chest and back with knife due to which he sustained multiple incised wound. Doctor has found the injuries, sustained by the injured, grievous in nature.

6. Considering the facts and circumstances of the case, specific and direct nature of accusation, gravity of offence and nature of injuries allegedly caused by this appellant, the prayer for grant of pre-arrest bail to the appellant is rejected and accordingly, this appeal is dismissed.

(Prabhat Kumar Singh, J)

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