

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1508 of 2025

Arising Out of PS. Case No.-15 Year-2025 Thana- KADWA District- Katihar

Shaukat Reza S/o Akhter Husain R/o Vill.- Shahnagar/Kujibana, P.O.- Kurela
Bhobra, P.S.- Kadwa, Distt.- Katihar

... .. Appellant/s

Versus

1. The State of Bihar
2. Sulochna Devi W/o Chela Mahaldar R/o Vill.- Jaja, P.S.- Kadwa, Distt.-
Katihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Md. Helal Ahmad
For the State	:	Ms.Usha Kumari 1
For the O. P. No. 2	:	Ms. Mandira Sau
		Ms. Shamali Kumari
		Ms. Ayushi Gupta

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 6 23-02-2026 1. Heard learned Counsel for the appellant, learned Counsel
for the informant and learned Additional Public
Prosecutor for the State.
2. An order, dated 02.04.2025, passed by learned 1st District
Additional Sessions Judge -cum- Special Judge, SC/ST,
Katihar, in A.B.P. No. 01 of 2025, is under challenge in
the present appeal preferred under Section 14-A(2) of the
Scheduled Caste and Scheduled Tribes (Prevention of
Atrocities) Act, 1989, whereby the anticipatory bail
application of the appellant, in connection with Kadwa
Police Station Case No. 15 of 2025 registered for the



offences punishable under Sections 126(2)/115(2)/329(4)/74/352/351(2) of the Bhartiya Nyaya Sanhita, 2023 and Section 3 (2) (va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989, has been rejected.

3. The prosecution case, as per the First Information Report, is that on 20.01.2025, at about 9 PM, the appellant reached the house of the Opposite Party No. 2 and told her husband to show aadhar card and when the husband of Opposite Party No. 2 went inside the house to bring aadhar card, the appellant took the mobile number of the Opposite Party No. 2 and started misbehaving with her. When the Opposite Party No. 2 started making noise, the neighbours gathered there and caught hold the appellant, but the appellant, on gun point, fled away.
4. Learned Counsel appearing on behalf of the appellant submits that the appellant is innocent and has not committed any offence in the manner alleged and he has falsely been implicated in this case due to political rivalry. The fact that the mobile phone of the appellant was missing and he came to know that his mobile phone was with the informant and he had gone to the house of the



Opposite Party No. 2 for demanding his mobile phone.
He further submits that there is no allegation in the First Information Report that the appellant abused the Opposite Party No. 2 by taking her caste name.

- 5. On the other hand, learned Special Additional Public Prosecutor and learned Counsel for the Opposite Party No. 2 vehemently opposed the prayer for anticipatory bail and submit that the appellant is a habitual offender inasmuch as he is accused in seven other criminal cases.
- 6. Having heard learned Counsel for the parties and taking into consideration the materials on record, particularly the criminal antecedent of the appellant, I am not inclined to grant anticipatory bail to the appellant.
- 7. Accordingly, this appeal is dismissed and the order, dated 02.04.2025, passed by learned 1st Additional Sessions Judge -cum- Special Judge, SC/ST, Katihar, in A.B.P. No. 01 of 2025, is hereby affirmed.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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