

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1849 of 2024

Arising Out of PS. Case No.-59 Year-2024 Thana- PUNPUN District- Patna

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1. Gautam Kumar @ Gautam Prakash S/o Sri Manoj Singh R/o vill - Jalalpur, P.S. - Punpun, Distt. - Patna
 2. Manoj Singh S/o Sri Radhe Shyam Singh R/o vill - Jalalpur, P.S. - Punpun, Distt. - Patna
 3. Radhe Shyam Singh S/o Late Gulab Singh R/o vill - Jalalpur, P.S. - Punpun, Distt. - Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Pramila Devi W/o Sri Shyam Nandan Prasad R/o vill - Jalalpur, P.S. - Punpun, Distt. - Patna

... .. Respondent/s

Appearance :

For the Appellant/s	:	Ms. Priyanka Singh, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 29-07-2026 1. Heard learned counsel for the appellants, learned Special Public Prosecutor for the State and learned counsel appearing 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 22.03.2024 in A.B.P. No. 1124 of 2024 passed by the learned Special Judge, SC/ST (POA) Act, Patna in connection with Punpun P.S. Case No. 59 of 2024 registered under Sections 341, 323, 325, 379, 504, 506 and 509/34 of the



Indian Penal Code as well as Sections 3(1)(r)(s) of the SC/ST Act.

3. Learned counsel appearing on behalf of the appellants submits that appellants are persons with clean antecedent and the informant alleges that on the eve of immersion of Goddess Saraswati on 17.02.2024, an altercation took place in between Gautam and her son (Chandan) but the matter was pacified by the villagers. It is further alleged that on 22.02.2024, the informant along with Chandan on a motorcycle were going to Patna. It is next alleged that near Jalalpur bridge, they saw Gautam Kumar (appellant no. 1) and Manoj Singh (appellant no. 2) coming with rod and lathi and father of appellant no. 2, namely, Radhe Shyam Singh was also present. Further, Gautam assaulted by fist thereafter Gautam also assaulted the another son of the informant, namely, Priya Ranjan by rod causing injury on leg while Manoj Singh assaulted by fist and Radhey Shyam Singh (appellant no. 3) by lathi. It is next alleged that Priya Ranjan was admitted in a hospital.

4. Learned counsel for 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 which had arisen in between Gautam Kumar and Chandan at the time of immersion of Goddess Saraswati, the occurrence is alleged to have taken place. It is next submitted that even presuming what has been alleged is true without admitting then it is Gautam Kumar who is alleged to have assaulted Priya Ranjan causing injury on leg.

5. Learned Special Public Prosecutor for the State and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the appellants.

6. Learned counsel appearing on behalf of the informant submits that from perusal of the allegation as alleged in the FIR, it would manifest that the occurrence took place in public view as the informant alleges that she along with Chandan were coming to Patna on a motorcycle when the occurrence took place and Gautam Kumar assaulted Priya Ranjan by rod causing injury on leg. It is further submitted that the injury suffered by Priya Ranjan has been opined to be grievous in nature. It is next submitted that no doubt, Manoj Singh and Radhe Shyam Singh are not alleged to have assaulted Priya Ranjan or allegation of assault against them is not specific but their presence at the place of occurrence emboldened Gautam Kumar to commit the occurrence of assault leading to



grievous injury.

7. Considering the submissions made by the learned Special Public Prosecutor for the State and learned counsel appearing on behalf of the informant, the Court is not inclined to extend the privilege of anticipatory bail to the appellants in connection with the aforesaid case.

8. Hence, the prayer for anticipatory bail is rejected.

(Satyavrat Verma, J)

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