IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2082 of 2026

CNR No. BRHC010546302026

Arising Out of PS. Case No.-7 Year-2026 Thana- SC/ST District- Patna

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1. Alok Kumar Son of Deva Nand Prasad Resident of Village- Maanpur, P.O.- Pathaarhat, P.S.- Dhanarua, District- Patna.
2. Arun yadav @ Arun Kumar Son of Deva Nand Prasad Resident of Village- Maanpur, P.O.- Pathaarhat, P.S.- Dhanarua, District- Patna.
3. Sudhir Yadav @ Sudhir Kumar Son of Deva Nand Prasad Resident of Village- Maanpur, P.O.- Pathaarhat, P.S.- Dhanarua, District- Patna.

... ... Appellant/s

Versus

1. The State of Bihar
2. Dipu Kumar S/o- Ram Dinesh Das Resident of Village- Khadiha, P.O.- Pathaarhat, P.S.- Dhanarua, District- Patna.

... ... Respondent/s

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Appearance :
For the Appellant/s : Mr. Vivek Kumar, Advocate
For the Respondent/s : Mr. Chandra Bhushan Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

4 27-10-2026 1. Heard learned counsel for the appellants and Mr. Chandra Bhushan Prasad, learned Additional Public Prosecutor for the State.

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 21.04.2026 in A.B.P. No. 1037 of 2026 passed by the learned Exclusive Special Judge, SC/ST Act, Civil Court (Sadar), Patna in connection with Patna SC/ST P.S. Case No. 07 of 2026 registered under Sections 126(2), 115(2), 109, 74, 324(4), 352, 351(2)(3) and

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3(5) of the BNS as well as Sections 3(1)(r)(s)(w) and 3(2)(va) of the SC/ST Act.

3. Learned counsel appearing on behalf of the appellants submits that from perusal of the office report, it would manifest that notice has been validly served on the informant but then informant, despite receiving the notice, chooses not to appear and contest. It is further submitted that appellants are persons with clean antecedent and the informant alleges that on 11.02.2026 at about 03:00 p.m. he along with his brother were returning from the market when appellants along with co-accused persons intercepted him and started abusing by taking caste name and thereafter assaulted and when his brother intervened to save him, it is alleged that co-accused assaulted him by an iron rod causing injury on head and on alarm, people gathered when accused persons fled away.

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 allegation of abuse is general and omnibus in nature. It is next submitted that specific allegation of assault is against appellant no. 4 but then from perusal of the injury report which is part of the FIR at page-26 of the appeal, it would manifest that the same only records

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name of some medicine and no injury is recorded which casts an aspersion on the allegation of assault. It is also submitted that this perhaps explains why the informant, despite receiving notice, chooses not to appear and contest.

5. Learned Additional Public Prosecutor for the State opposes the prayer for anticipatory bail of the appellants.

6. Considering the submissions made by the learned counsel appearing on behalf of the appellants, let the appellants, above-named, in the event of their arrest or surrender within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

7. Accordingly, the impugned order is set aside and this appeal stands allowed.

(Satyavrat Verma, J)

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