IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2210 of 2026

CNR No. BRHC010561532026

Arising Out of PS. Case No.-37 Year-2025 Thana- JANTA BAZAR District- Saran

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Anil kumar Ray @ Anil Ray Son of Brahama Ray Resident of Village- Mungauli, P.S.- Janta Bajar, District- Saran, Bihar.

... ... Appellant/s

Versus

1. The State of Bihar
2. Rina Kumari Devi Wife of Dinesh Manjhi Resident of Village- Bankat, P.S.- Bhagwanpur Hat, District- Siwan.

... ... Respondent/s

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Appearance :
For the Appellant/s : Mr.Rajesh Kumar, Advocate
For the Respondent/s : Mr.Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

3 28-10-2026 1. Heard learned counsel for the appellant and learned A.P.P. for the State Mr. Chandra Bhushan Prasad 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 30.04.2026 in A.B.P. No. 1167 of 2026 passed by the learned Special Judge S.C./S.T. (POA) Act, Chapra, Saran in connection with Janta Bazar P.S. Case No. 37 of 2025 registered for the offences punishable under Sections 127(1), 115(2), 76, 303(2), 351(2), 352 and 3(5) of the BNS as well as Sections 3(1)(r)(s) and 3(2)(va) of the SC/ST Act.

3. Learned counsel for the appellant submits that the

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appellant is a person with clean antecedent and the informant alleges that on 12.02.2025 at 11:00 AM she came to Mungauli and saw that her land has been encroached and thus inquired, on which three named accused persons including the appellant abused by taking caste name and Malti Devi on the ground and while Tarkeshwar and appellant assaulted by leg and fists, further Tarkeshwar tried strangulating her while appellant took out her purse containing Rs. 10,000/- from her blouse, on alarm people gathered and accused fled.

4. Learned counsel appearing on behalf of the appellant submits that the appellant has been falsely implicated in the instant case by the informant, it is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that on account of dispute relating to land the occurrence is alleged to have taken place, it is next submitted that even allegation of abused is general and omnibus in nature, it is further submitted that the informant does not give description of the land and the same has been concealed for the reason that the land belongs to the side of the appellant.

5. Learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the appellant and submits that appellant has antecedent of three

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cases, but then at Para- 3 it is pleaded that appellant is a person with clean antecedent, as such, the appellant has not approached the Court with clean hands, on which learned counsel appearing on behalf of the appellant submits that one case is a complaint case in which cognizance has not been taken, on which learned counsel appearing on behalf of the informant submits that even appellant is aware that he was implicated earlier in two cases, but still for reasons best known the criminal antecedent was not disclosed.

6. At this stage, learned APP for the State Mr. Chandra Bhushan Prasad submits that a person who does not approach the Court with clean hands should not be dealt leniently.

7. Considering the submissions made by the learned counsel appearing on behalf of the informant and the learned APP for the State, the Court is not inclined to extend the privilege of anticipatory bail to the appellant.

8. Accordingly, the instant appeal stands rejected.

(Satyavrat Verma, J)

Nitesh/-

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