IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2261 of 2026

CNR No. BRHC010591552026

Arising Out of PS. Case No.-247 Year-2026 Thana- NAWADA District- Nawada

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Parvez Quraishi Son of Shamid Quraishi @ Samo Quraishi Resident of Quraishi Mohalla, P.S.- Nawada Town, District - Nawada

... ... Appellant/s

Versus

1. The State of Bihar
2. Usha Devi Wife of Rajesh Chaudhari Resident of Mohalla - Sonarpatti Road, Belisharif, P.S.- Nawada Town, District - Nawada

... ... Respondent/s

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

4 27-10-2026 1. Heard learned counsel for the appellant and learned APP for the State, Mr. Chandra Bhushan Prasad.

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 18.05.2026. in A.B.P. No. 1086 of 2026 passed by the learned Exclusive Special Judge, Special Court, S.C./S.T. (POA) Act, Nawada in connection with Nawada Town P.S. Case No. 247 of 2026 registered for the offences punishable under Sections 115(2), 126(2), 191(2), 190, 109(1), 74, 351(2) and 352 of the BNS as well as Sections 3(i)(r)(s) and 3(2)(v) of the SC/ST Act.

3. Learned counsel submits that from perusal of the office report it would manifest that the notice has been validly

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served on the informant, but then informant despite receiving the notice chooses not to appear and contest. It is next submitted that appellant has antecedent of one case and the informant alleges that her husband on 03.03.2026 at 12 noon had gone to the market for purchasing fruits, when six named accused persons including the appellant along with 15-16 unknown accused intercepted him and started assaulting by katta and rod, hence her husband fled and came near his house but accused persons followed and started assaulting him again, next alleges that Shahnabaz said that he will kill him, thereafter appellant assaulted by sword causing injury on head, thereafter Javed assaulted him by rod and he became unconscious and even assaulted the informant who came to save her husband.

4. Learned counsel for 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 allegations as alleged in the FIR, it would manifest that informant alleges that while her husband had gone to the market for purchasing fruits when he was intercepted by six named accused persons and 15-16 unknown accused who assaulted and thereafter her husband fled and came back home where he was again assaulted and appellant is alleged to have assaulted by sword causing injury on head, but then it is submitted that from perusal of injury report

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annexed as Annexure-3, it would manifest that the injury has been opined to be simple hence the same belies the allegation of assault by so many accused. It is further submitted that this perhaps explains why informant despite receiving notice chooses not to appear and contest.

5. Learned APP for the State opposes the prayer for anticipatory bail of the appellant.

6. After hearing the learned counsel for the parties, the order dated 18.05.2026 **is hereby set aside** and the appellant above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with the aforesaid case, subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. **Accordingly, the appeal stands allowed.**

(Satyavrat Verma, J)

rajesh/-

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