

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2998 of 2023**

Arising Out of PS. Case No.-522 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

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ANSHU PATEL @ ANSHU KUMAR SON OF LALAN PATEL @ LALAN
PRASAD RESIDENT OF VILLAGE- BELISARAI, PS- TOWN
MOTIHARI, DISTT- EAST CHAMPARAN AT MOTIHARI

... .. Appellant/s

Versus

1. The State of Bihar
2. Ajay Kumar son of Suresh Manjhi Resident of Belwanwa, P.S-
Nagar, District-East champaran at motihari

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Shashank Shekhar, Advocate
For the Respondent/s : Ms. Usha Kumari 1, Special PP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 20-04-2026 1. Heard learned counsel for the appellant and
learned Spl. P.P. for the State, Ms. Usha Kumari 1.

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 09.06.2023 in A.B.P. No. 2561 of 2023 passed by
the learned Special Judge S.C./S.T. (POA) Act, East
Champaran, Motihari in connection with Town P.S. Case No.
522 of 2022 registered for the offences punishable under
Sections 323, 379, 390, 391, 392, 393, 394, 397, 395, 398, 504
and 506 of the Indian Penal Code as well as Sections 3 of the



SC/ST Act.

3. Learned counsel for the appellant submits that appellant has antecedent of four cases and the informant alleges that he along with his friend Ashik were coming back home on 21.10.2021 at 09:30 AM after purchasing vegetables when 8 named accused persons on point of pistol snatched mobile of Ashik and started fleeing on their bike, but got stuck in a jam at Charkha crossing, as such, the informant along with Ashik reached near Charkha crossing and started raising alarm on which accused abused him, on protest they assaulted and also abused by taking caste name and Lalan and Sanjiv assaulted him by leg causing injury on head and accused fled when people started gathering.

4. Learned counsel for the appellant submits that the appellant has been falsely implicated in the instant case being brother of Vishal. It is next submitted that appellant was not even present at the place of occurrence and from perusal of the allegation as alleged in the FIR, it would manifest that allegation of abuse and assault is not specific.

5. Learned Spl. P.P. for the State opposes the appeal and submits that allegation of abuse and assault may not be specific, but then allegation is of snatching mobile of Ashik and



appellant has antecedent of four cases, as such, if privilege of anticipatory bail is granted, the appellant may abscond.

6. Considering the submissions made by the learned Special PP for the State, the Court is not inclined to extend the privilege of anticipatory bail to the appellant.

7. Accordingly, the appeal stands rejected.

(Satyavrat Verma, J)

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