

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3420 of 2025

Arising Out of PS. Case No.-79 Year-2025 Thana- SUPPI District- Sitamarhi

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1. Ravnish Kumar Son of Mahesh Kumar Resident of village -Kothiya Rai, P.S.- Suppi, District -Sitamarhi
 2. Avnish Kumar @ Rajnish Kumar son of Mahesh Kumar Resident of village -Kothiya Rai, P.S.- Suppi, District -Sitamarhi
 3. Vicky Kumar @ Vivek Kumar Son of Krishna Kumar Ray Resident of village -Kothiya Rai, P.S.- Suppi, District -Sitamarhi
 4. Vishal Kumar son of Krishna Kumar Ray Resident of village -Kothiya Rai, P.S.- Suppi, District -Sitamarhi

... .. Appellant/s

Versus

1. The State of Bihar
2. Himanshu Kumar Son of Ranjeet paswan Resident of village -Kothiya Rai, P.S.- Suppi, District -Sitamarhi

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Rakesh Kumar, Advocate
For the Respondent/s : Mrs. Usha Kumari 1, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 23-02-2026 Heard Mr. Rakesh Kumar, learned counsel for the appellants, Mrs. Usha Kumari No. 1, learned Spl.P.P. and Mr. Hans Lal Kumar representing the informant.

2. This appeal has been filed for setting aside the order dated 29.07.2025 passed by learned 1st Additional Sessions Judge cum Spl. Judge, S.C./S.T. (POA) Act, Sitamarhi in connection with Suppi P.S. Case No. 79 of 2025 registered for the offence punishable under sections 127(1), 115(2), 303(2) and 3(5) of the BNS and Sections 3(i)(r), 3(i)(s) of the SC/ST



Act whereby the prayer for anticipatory bail of the appellant has been rejected.

3. As per the prosecution story, the informant alleged that the accused persons took him to celebrate Holi but later, taking caste name, assault took place. Allegation is that Avnish Kumar and Ravnish Kumar gave knife blow while Vishal Kumar and Vicky Kumar gave iron rod blow causing injuries. As the locals arrived, he was shifted to the Primary Health Center and then to Sadar Hospital, Sitamarhi which led to the FIR.

4. Though learned counsel for the appellants submit that the injuries have been found to be simple in nature and to implicate them, taking the caste name theory has been incorporated, learned counsel representing the informant with the help of the photographs submits that they brutally assaulted the informant causing injuries.

5. Taking into account the aforesaid facts as also that the specific caste name has been taken and all the force have been assigned role and the same is supported by the injury that has been incorporated in the learned Sessions Judge order, in that background, this Court is not inclined to extend the privilege of bail to the appellants.



6. The order dated 29.07.2025 passed by learned 1st Additional Sessions Judge cum Spl. Judge, S.C./S.T. (POA) Act, Sitamarhi in connection with Suppi P.S. Case No. 79 of 2025 stands confirmed.

7. Cr. APP (SJ) No. 3420 of 2025 stands rejected.

(Rajiv Roy, J)

Adnan/-

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