

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.41 of 2022

Arising Out of PS. Case No.-281 Year-2021 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

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1. AHMAD ALI ASHRAF Son of Md. Ali Imam Ansari Resident of Village - Kilki Tola, Satpura, P.S.- Kazi Mohammadpur, Dsitt.- Muzaffarpur.
 2. Heena Kaushar D/o Md. Ali Imam Ansari Resident of Village - Kilki Tola, Satpura, P.S.- Kazi Mohammadpur, Dsitt.- Muzaffarpur.
 3. Zeenat Parween @ Zeenat Imam D/o Md. Ali Imam Ansari Resident of Village - Kilki Tola, Satpura, P.S.- Kazi Mohammadpur, Dsitt.- Muzaffarpur.
 4. Shagufa Parween @ Shagufa Imam D/o Md. Ali Imam Ansari Resident of Village - Kilki Tola, Satpura, P.S.- Kazi Mohammadpur, Dsitt.- Muzaffarpur.
 5. Safiya Sanam @ Safiya Imam D/o Md. Ali Imam Ansari Resident of Village - Kilki Tola, Satpura, P.S.- Kazi Mohammadpur, Dsitt.- Muzaffarpur.
 6. Nazra Sahin W/o Md. Ali Imam Ansari Resident of Village - Kilki Tola, Satpura, P.S.- Kazi Mohammadpur, Dsitt.- Muzaffarpur.

... .. Appellant/s

Versus

1. The State of Bihar
2. Ranjeet Kumar Bhagat son of Rama Nand Bhagat resident of village- Sherpur, Harizan Tola, P.S.- Sadar, District- Muzaffarpur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Awadhesh Kumar Singh, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 25-06-2026 1. Heard learned counsel for the appellants and learned
Special 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 22.11.2021 in A.B.P. No. 3193 of 2021 passed by the learned 3rd Additional Sessions Judge-cum-Special Judge, SC/ST (POA) Act, Muzaffarpur



in connection with Kazi Mohammadpur P.S. Case No. 281 of 2021 registered under Sections 143, 341, 323, 307, 337 and 338 of the Indian Penal Code as well as Sections 3(i)(r)(s) of the SC/ST Act.

3. Learned counsel appearing on behalf of the appellants submits that a jointness application has been filed as the ordinary notice was received by the father of the respondent no. 2.

4. In view of the jointness application, the notice is deemed to be validly served.

5. Learned counsel appearing on behalf of the appellants submits that appellants are persons with clean antecedent and appellants no. 2, 3, 4, 5 and 6 are women and the informant alleges that on 27.09.2021, he was constructing boundary wall of Hasnain Azim along with other labourers. Further, on 29.09.2021, while the work of boundary wall commenced, the appellants started throwing bricks from their terrace causing injury on the head of the informant and thereafter Ashraf Imam and others also threw acid but the informant was saved. It is next alleged that occurrence took place since on 28.09.2021 Ali Imam and his wife Sahina had threatened not to work for Hasnain Azim and accused were abusing by taking caste name.

6. 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 bare perusal of the allegation as alleged in the FIR, it would manifest that the same does



not inspire confidence, rather gives an impression that at the instance of Hasnain Azim, the instant false case has been instituted. It is next submitted that this perhaps explains why the informant despite receiving the notice chooses not to appear and contest. It is also submitted that even the allegation of assault is not specific.

7. Learned Special Public Prosecutor for the State opposes the prayer for anticipatory bail of the appellants.

8. 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.

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

(Satyavrat Verma, J)

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