

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4793 of 2024

Arising Out of PS. Case No.-44 Year-2023 Thana- SC/ST District- Madhubani

Abdul Rahman @ Rahman Rain Son of Late Liyakat Resident of village
-Janipur, P.S - Bisfi, District - Madhubani

... .. Appellant/s

Versus

1. The State of Bihar
2. Ramanandan Ram Son of Late Ramcharan Ram Resident of Village-
Janipur, P.S.- Bisfi, Distt.-Madhubani

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Prabhakar Thakur, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 18-06-2026 1. Heard learned counsel for the appellant, Mr. Binay Krishna, learned Special Public Prosecutor for the State 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 11.09.2024 in A.B.P. No. 1609 of 2024 passed by the learned 1st Additional Sessions Judge, Madhubani in connection with Madhubani SC/ST P.S. Case No. 44 of 2023 corresponding to G.R. No. 97 of 2023 registered under Sections 341, 323, 354(B), 427, 504, 506 and 34 of the Indian Penal Code as well as Sections 3(1)(r)(s)(w1) and 3(2)(va) of the



SC/ST Act.

3. Learned counsel appearing on behalf of the appellant submits that appellant is a person with clean antecedent and the informant alleges that on 25.06.2023, he had gone to Kamtaul for work and at 5 O'clock, in the evening, his daughter disclosed that appellant and his family members had come to the house and had assaulted her and her mother. Further, Naseema assaulted the daughter of the informant by an iron rod causing injury on head and appellant also assaulted his daughter by rod causing injury on head.

4. Learned counsel for the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that his daughter disclosed that she was assaulted by Naseema and appellant by an iron rod causing injury on head but then the daughter of the informant has suffered only one injury on head and the same has been opined to be simple in nature. It is next submitted that as far as allegation of abuse is alleged, the same was not in public view as it is alleged that appellant along with others came to the house of the informant where the occurrence is alleged to have



taken place.

5. Learned Special Public Prosecutor for the State and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the appellant but then the learned Special P.P. after perusing the case diary fairly submits that the injury has been opined to be simple in nature and there is only one injury on the head of the daughter of the informant.

6. After hearing the learned counsel for the parties, let the appellant, above-named, in the event of his 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) 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.

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

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

