

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5012 of 2024

Arising Out of PS. Case No.-109 Year-2024 Thana- SHAMBHUGANJ District- Banka

Manish Kumar @ Manish Kumar Singh son of Vinay Kumar Singh village-
kurmadih, ps- Shambhuganj, Dist- Banka

... .. Appellant/s

Versus

1. The State of Bihar
2. Naresh Ram Son of Gholu Ram village- khada, Ps- Udakishunganj, Dist-
Madhepura

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ashok Kumar Singh, Adv.
For the Respondent/s : Mr. Binay Krishna, Special P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 25-03-2026 1. Heard learned counsel for the appellant and the
learned Special P.P. Mr. Binay Krishna for the State. No one
appears on behalf of the respondent no.2.

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 26.09.2024 in A.B.P. No. 710/2024 passed by the
learned 1st Additional Sessions Judge-cum-Special Judge,
SC/ST Act, Banka in connection with Shambhuganj P.S. Case
No. 109/2024, registered under Sections 341, 323, 379, 353 of
the Indian Penal Code as well as Sections 3(1)(r)(s) and 3(2)



(va) of the SC/ST Act.

3. Learned counsel for the appellant submits that appellant has antecedent of one case and the informant alleges that he is posted as Block Monitoring Assessment Assistant and was discharging his duty at the hospital, when appellant came and started abusing by taking caste name and assaulted and took Rs.8132/- of donation amount and snatched his chain.

4. Learned counsel for the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is next submitted that on the date of occurrence, the appellant had gone for his treatment to the hospital but the informant was not present, as such when informant came to the hospital, a hot talk in between the two ensued and a false case came to be instituted.

5. Learned Special Public Prosecutor vehemently opposes the appeal and submits that though a submission has been made that appellant had gone for his treatment to the hospital, where hot talk ensued but the same is not pleaded in the appeal. It is thus submitted that if what has been submitted was a correct fact, in that event, the same ought to have been pleaded even. It is next submitted that hospital is a public place and allegation is of assault and snatching chain and of snatching



Rs.8132/-, as such the offence was committed in a public view.

6. After hearing the learned counsel for the parties, the Court is in complete agreement with the submission made by the learned APP, as such, 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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