

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4317 of 2025

Arising Out of PS. Case No.-46 Year-2025 Thana- KATRA District- Muzaffarpur

Ajim @ Md. Ajim @ Md. Ajim Nadaf Son of Md. Habib Nadaf Resident of
Village -Sakri, P.S. -Katra, District- Muzaffarpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rakesh Ranjan

For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 11-05-2026 **1.** Heard learned counsel for the appellant and learned
Spl. P.P. for the State, Sri Binay Krishna.

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 11-9-2025 in A.B.P. No. 2711 of 2025 passed by the
learned Special Judge S.C./S.T. (POA) Act, Muzaffarpur in
connection with Katra P.S. Case No. 46 of 2025 registered for
the offences punishable under Sections 191, 191(2), 126(2),
115(2), 109, 74, 303, 351(2)(3)(4) of the BNS as well as
Sections 3(1)(r)(s) of the SC/ST Act.

3. Learned counsel for the appellant submits that the
informant despite receiving notice chooses not to appear and



contest. It is next submitted that appellant is a person with clean antecedent and the informant alleges that on 8-3-2025 at 9 pm, he was at his doorstep when Md. Dilshad was passing by his door as such informant demanded his outstanding dues of his shop from Md. Dilshad, when Dilshad started abusing by taking caste name, further on the same day at 9:30 pm, Dilshad returned along with other accused persons including the appellant and started abusing by taking caste name and created ruckus, further Md. Sadam assaulted the informant by farsa causing injury and when informant's brothers Mukesh and Rakesh came to save him, all the accused assaulted them and abused by taking caste name and appellant tore saree of the mother of the informant and snatched her gold chain and mangalsutra.

4. Learned counsel for the appellant submits that the appellant has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that the informant alleges that Md. Dilshad was passing by his door when informant asked for his outstanding dues with respect to the articles purchased by him from his shop, when he started abusing and thereafter it is alleged that accused persons came



and abused and Md. Sadam assaulted him by farsa causing injury on head and when brothers of the informant came to rescue him, the other accused assaulted and abused them and also acted inappropriately with his mother and snatched gold chain and mangalsutra. It is further submitted that from perusal of the allegations as alleged in the FIR, it would manifest that the occurrence did not take place on the ground that informant belongs to a particular community but on account of dispute relating to dues which the informant claimed from Md. Dilshad which Dilshad refused. It is also submitted that since Md. Dilshad refuted the demand of the informant with regard to the dues, as such an altercation took place in which both sides assaulted each other. It is further submitted that as far as appellant is concerned, no specific allegation is alleged against him rather specific allegation of assault is alleged against Md. Sadam and from the side of the appellant Katra PS Case No. 47 of 2025 has been instituted against the informant and his side and even injury of Mukesh has been opined to be simple in nature. It is next submitted that this perhaps explains why informant despite receiving notice chooses not to appear and contest.

5. Learned Spl. P.P. for the State opposes the prayer



for anticipatory bail of the appellant.

6. Considering the aforesaid facts, let the appellant above-named, in the event of his arrest or surrender within a period of six weeks from today, 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/successor court in connection with the aforesaid case, subject to the conditions as laid down under Section 482 (2) of the BNSS.

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

(Satyavrat Verma, J)

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