

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5083 of 2024

Arising Out of PS. Case No.-494 Year-2024 Thana- RAFIGANJ District- Aurangabad

Golu Raj @ Golu Kumar Son of Srikant Prasad Resident of Village - Nima,
P.S. - Amas, District - Gaya. At Present - Resident of Village - Charkupta, P.S.
- Rafiganj, District - Aurangabad

... .. Appellant/s

Versus

1. The State of Bihar
2. Ranjeet Kumar Son of Ramchand Das Resident of Village - Charkawa, P.S. -
Rafiganj, District - Aurangabad

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Bhaskar Shankar, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

8 23-04-2026 Heard learned counsel for the appellant, learned Spl.
P.P., Mr. Sadanand Paswan, appearing for the State.

2. This appeal is an Appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the rejection of prayer for bail vide order dated 01.10.2024, passed by learned Special Judge SC/ST-cum-Ist Additional Sessions Judge, Aurangabad, in connection with Rafiganj P.S. Case No.494 of 2024, registered for the offence punishable under Sections 127(2), 115(2), 109, 351(2), 3(5) of B.N.S., 2023 and Sections 3(1)(r) (s)/2 (va) of SC/ST (POA) 1989 Act.

3. The learned counsel appearing on behalf of the



appellant submits that from perusal of the office report dated 30.03.2026, it would manifest that notice has been validly served on respondent No.2 but then respondent No.2 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 12.09.2024, appellant along with Harsh and Ritik called him on mobile and called near the post-office and when he reached, Harsh fired but missed, and when villagers started gathering, the accused person fled but fire arm of Harsh was seized by villagers, further about a week back also, he was threatened and the threat was recorded on the mobile.

4. The learned counsel for the appellant submits that the appellant has been false implicated in the instant case by the informant, it is further submitted that there is no allegation of abuse but then informant alleges that Harsh fired but missed, it is thus submitted that no one was injured in the firing but then it is submitted that whether the arms seized belonged to Harsh is an aspect of the investigation. It is also submitted that even presuming what has been alleged is true without admitting that appellant is not alleged to have fired nor anyone was injured in the firing and this perhaps explain why respondent



No.2 despite receiving notice choose not to appear and contest.

5. The Spl. P.P. for the State vehemently opposes the prayer for bail.

6. This appeal is allowed and the impugned order is set aside.

7. Let the appellant, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.5,000/- (Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (SC/ST)-cum-Ist Additional Sessions Judge, Aurangabad in connection with Rafiganj P.S. Case No.494 of 2024.

(Satyavrat Verma, J)

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