IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.511 of 2026

Arising Out of PS. Case No.-3 Year-2026 Thana- SC/ST District- Aurangabad

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Chunnu kumar @ Buchachu Kumar @ Bucchu Kumar Son of Dinesh Prasad Soni Resident Of Village- Satyendra Nagar, Ps- Aurangabad Town, Dist- Aurangabad

... ... Appellant/s

Versus

1. The State of Bihar
2. Raushan Raj Son of Ramjit paswan Resident Of Village- Dani Bigha, Bhuiyan Tola, Ps- Aurangabad Town, Dist- Aurangabad

... ... Respondent/s

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Appearance :
For the Appellant/s : Ms.Mukul Kumari
For the Respondent/s : Mr.Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

4 20-08-2026 **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 17.1.2026 in A.B.P. No. 145 of 2026 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Aurangabad in connection with Aurangabad SC/ST P.S. Case No. 03 of 2026 registered for the offences punishable under Sections 191(2), 190, 191(3), 126(2), 115(2), 352, 118(1) of the BNS as well as Sections 3(1)(r), 3(1)

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(s) and 3(2)(va) of the SC/ST Act.

3. Learned counsel for the appellant submits that from perusal of the office report dated 29.7.2026, it would manifest that the notice has been validly served on the informant but then informant, despite receiving notices, chooses not to appear and contest.

4. Learned counsel for the appellant next submits that appellant is a person with clean antecedent and the informant alleges that on 2.1.2026, the accused persons including the appellant abused and assaulted the informant and the reason for the occurrence was dispute relating to fare of Auto.

5. It is further submitted that from perusal of the allegations as alleged in the FIR, it would manifest that allegation of abuse and assault is not specific and all sections of BNS are bailable and in the nature of allegation as alleged in the FIR, prima facie, no offence under the SC/ST Act is made out and this perhaps explains why respondent no. 2, despite receiving notice, chooses not to appear and contest.

6. Learned Spl. P.P. for the State opposes the prayer for anticipatory bail of the appellant.

7. Considering the aforesaid facts, let the appellant above-named, in the event of his arrest or surrender within a

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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.

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

(Satyavrat Verma, J)

Sumit/-

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