

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.789 of 2025

Arising Out of PS. Case No.-895 Year-2024 Thana- AURANGABAD TOWN District-
Aurangabad

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1. Ajay Mehta S/O Shyam Lal Mehta Resident of Village- Shahpur, Behind Yadav College, P.S.- Aurangabad(Town), District- Aurangabad.
 2. Abhishek Kumar S/O Ajay Mehta Resident of Village- Shahpur, Behind Yadav College, P.S.- Aurangabad(Town), District- Aurangabad.

... .. Appellant/s

Versus

1. The State of Bihar
2. Mritunjay Ram, S/O Yogi Ram, R/O Shahpur (Behind Yadav College), P.S- Aurangabad (Town), District- Aurangabad.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Bachanjee Ojha, Advocate
For the O.P. No. 2	:	Mr. Anil Kumar Sinha, Advocate
For the State	:	Mr. Sadanand Paswan, SPP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 12-11-2025 Heard learned counsel for the appellants and learned Special Public Prosecutor for the State and learned counsel for the respondent no. 2.

2. This appeal has been preferred against the order dated 28.01.2025 passed by the learned Special Judge, S.C./S.T. (P.O.A.) Act-cum-1st ADJ, Aurangabad in connection with Aurangabad (Town) P.S. Case No. 895 of 2024, registered for the offences under Sections 115(2), 126(2), 351(2), 352, 3(5) and 74 of the B.N.S. and Sections (1) (r), 3(1)(s) and 3(2)(va) of



the S.C./S.T. (Prevention of Atrocities) Act.

3. Allegation against the appellants are that they abused the informant and his daughter by taking caste name and injured them.

4. Learned counsel for the appellants submits that the appellants are innocent and have falsely been implicated in this case. There is case and counter case between the parties for the same occurrence. The appellants did not abuse the informant or his daughter by caste name and such allegation is super addition. The occurrence has not taken place in public view or at public place. It is further submitted that no offence under the provisions of the S.C./S.T. (Prevention of Atrocities) Act is made out against the appellants. Appellants have no criminal antecedent and they undertake to cooperate in the investigation and trial of the present case

5. Learned counsel for the informant as well as learned S.P.P. for the State have opposed the prayer for bail.

6. Considering the facts and circumstances of the case, this appeal is allowed. Accordingly, the order dated 28.01.2025 passed by the learned Special Judge, SC/ST -cum-1st District and Additional Sessions Judge, Aurangabad, in connection with Aurangabad (Town) P.S. Case No. 895 of 2024



is set aside.

8. Let the appellants, in the event of their arrest or surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, S.C./S.T. -cum-1st District and Additional Sessions Judge, Aurangabad/concerned court below, in connection with Aurangabad (Town) P.S. Case No. 895 of 2024, subject to the conditions laid down under Section 438(2) of the Code of Criminal/ Section 482(2) of the B.N.S.S.

(Sunil Dutta Mishra, J)

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