

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1540 of 2025

Arising Out of PS. Case No.-314 Year-2024 Thana- BHARGAMA District- Araria

Zuber Alam @ Md. Juber Son of Hamid Alam Resident of village - Bishariya,
Ward no. 04, Ps- Bhargama, Dist- Araria

... .. Appellant/s

Versus

1. The State of Bihar
2. Vilechani Devi wife of Late Badri Ram Resident of village - Bishariya, Ram
Tola, Ward no. 04, Ps- Bhargama, Dist- Araria

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ramesh Kumar Singh, Advocate
For the State : Mr. Usha Kumari 1, Spl. PP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 12-11-2025 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

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 bail vide order dated
04.03.2025 passed by the learned 1st Additional District &
Sessions Judge cum Special Judge, Araria in A.B.P. No. 101 of
2025 arising out of Bhargama P.S. Case No. 314 of 2024
registered for the offences punishable under Sections 126(2),
115(2), 118(1), 352, 351(3) of Bharatiya Nyaya Sanhita, 2023
and 3(i)(r)(s) of SC/ST Act.



3. The case of the prosecution, in brief, is that on the alleged date of occurrence, the informant went to field for grazing the goat, but a dispute arose on account of grazing between the informant and accused persons including the appellant. It is alleged that the accused persons assaulted the informant by means of *lathi-danda*.

4. Learned counsel for the appellant submits that the appellant is innocent and he has been falsely implicated in this case. It is further submitted that there is no specific allegation against the appellant rather the allegation against the appellant is general and omnibus. It is further submitted that F.I.R. has been lodged after three days of occurrence. Lastly, it is submitted the appellant has no criminal antecedents.

5. Earlier notices were issued upon respondent no. 2, but nobody appears on his behalf even after service of notice.

6. Learned Special Public Prosecutor for the State vehemently opposed the prayer of the appellant.

7. Having considered the facts and circumstances of the case, let the above named appellant, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, upon furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the



like amount each to the satisfaction of learned 1st Addl. District & Sessions Judge cum Spl. Judge, Araria in connection with Bhargama P.S. Case No. 314 of 2024, subject to the condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

8. The impugned order dated 04.03.2025 passed in Anticipatory Bail Petition No. 101 of 2025 by the learned 1st Addl. District & Sessions Judge cum Special Judge, Araria is hereby set aside.

9. The appeal stands allowed.

(Khatim Reza, J)

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