

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2007 of 2025

Arising Out of PS. Case No.-86 Year-2025 Thana- BOCHAHAN District- Muzaffarpur

Ashish Kumar S/O Manoj Kumar Singh R/O Village-Jagai Manjhaulia, PS-Bochaha, Dist- Muzaffarpur

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Ranjay Kumar Paswan S/O Mohan Paswan Presently posted at Bochaha Police Station as Sub-Inspector,Permant R/O Village Jana,PS-Sare, Distt-Nalanda

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Anshul, Sr. Adv. Mr. Anuj Kumar, Adv.
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. PP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 24-07-2025 Heard learned counsel for the appellant and learned Spl. P.P. 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 against the rejection of prayer for bail of the appellant vide order dated 22.04.2025 passed by the learned Special Judge (SC/ST Act), Muzaffarpur in connection with Bochaha P.S. Case No. 86 of 2025 dated 08.04.2025 registered for the alleged offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 132, 109, 352, 351(2), 351(3) of the B.N.S. and Sections 3(1)(r)/ 3(1)(s) of the



Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. As per prosecution case, the informant received an information that some violent altercation took place between the parties then the informant and the police personnel proceeded to the place of occurrence and saw that the appellant and the co-accused persons were standing near the gate of their house, creating a public nuisance and hurling abuse. When the informant questioned them regarding the cause of the disturbance then the accused persons started abusing and assaulting the police personnel causing injuries to them. The accused persons also caused hindrance in discharging the official duties of the police personnel.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in this case. There is no specific allegation against the appellant rather the allegation against the appellant is general and omnibus. It is further submitted that no member of public was present at the relevant point of time of the incident and hence, no offence under provisions of SC/ST Act is made out against the appellant. Nothing has been recovered from the conscious possession of the appellant. It is further submitted that the appellant has no



concern with the alleged offence. The appellant has one criminal antecedent as stated in para 3 of the bail petition. The appellant is in custody since 08.04.2025.

5. Learned Special Public Prosecutor has opposed the prayer for bail of the appellant.

6. In view of the aforesaid facts and circumstances of the case as well as finding substance in the contention of the learned counsel for the appellant, the impugned order dated 22.04.2025 passed by the learned Special Judge (SC/ST Act), Muzaffarpur in connection with Bochaha P.S. Case No. 86 of 2025, is set aside against the appellant. The criminal appeal is allowed.

7. Accordingly, the above named appellant, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (SC/ST Act), Muzaffarpur in connection with Bochaha P.S. Case No. 86 of 2025.

(Chandra Prakash Singh, J)

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