

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2152 of 2025

Arising Out of PS. Case No.-8 Year-2024 Thana- NAVINAGAR District- Aurangabad

Ashish Kumar S/O Ramadhar Yadav R/O Village-Karma, P.S. Nabinagar,
Distt- Aurangabad(Bihar)

... .. Appellant/s

Versus

- 1 . The State of Bihar
2. Guddu Kumar S/O Late Manoj Paswan R/O Village-Shivpur, P.S. Nabinagar, Distt- Aurangabad(Bihar)

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Aman Vishal , Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl. PP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 12-12-2025 Despite valid service of notice, none appears on behalf of the respondent No. 2.

2. Heard learned counsel for the appellants and the State .

3 . This appeal has been filed against the order dated 08.05.2025 passed by learned Special Judge (SC/ST)-cum-1st Additional District and Sessions Judge, Aurangabad (Bihar) in connection with A.B.P. No. 989 of 2025 arising out of Navinagar P.S. Case No. 08 of 2024 , registered under Sections 341, 323, 379, 504/34 of the Indian Penal Code and Section 3(1)(r), 3(1)(s), 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for



anticipatory bail of appellants has been rejected.

4. As per F.I.R., all the F.I.R. named accused persons including this appellant abused informant by caste name and assaulted informant and her family members with fists and slaps.

5 . Learned counsel for the appellant submits that appellant is innocent and has committed no offence as alleged. Present case is counter blast of Nabinagar P. S. Case No. 09/2024 which was lodged by mother of co-accused Pawan Kumar against informant and her family members on 7/1/2024 in which mother and other family members of co-accused Pawan Kumar sustained injuries. Allegation of assault is general and omnibus and there is no specific allegation of overt act against this appellant. Insult caused to the informant is not solely on the basis of caste and as such, no offence under SC/ST Act is made out against this appellant. Appellant claims clean antecedent. Similarly co-accused persons have already been granted bail by this Hon'ble Court vide order dated 17.04.2025 in Cr. APP (SJ) 3375 of 2024 .

6. Learned Spl. Public Prosecutor for the State vehemently opposed the bail application .

7. Considering the nature of accusation and clean



antecedent, let the appellant, as named above , in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (SC/ST)-cum-1st Additional District and Sessions Judge , Aurangabad (Bihar) in connection with Navinagar P.S. Case No. 08 of 2024 .

8. Accordingly, this criminal appeal is allowed and impugned order dated 08.05.2025 is set aside with respect to these appellants only .

(Prabhat Kumar Singh, J)

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