

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2649 of 2025

Arising Out of PS. Case No.-272 Year-2025 Thana- MUFFASIL District- West Champaran

Bagad Gaddi S/O Late Jokhu R/O Village- Singhachhapar, Ward No.33, P.S- Bettiah (Muffasil), Dist.- West Champaran.

... .. Appellant/s

Versus

1. The State of Bihar
2. Amardeep Kumar S/O Late Rudal Baitha R/O Village- Singhachhapar, Ward No. 33, P.S- Bettiah (Muffasil), Distt.- West Champaran.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Bimlesh Kumar Pandey, Advocate
For the Respondent/s	:	Mrs. Usha Kumari 1, SPP
For the Informant	:	Mr. Sarvesh Kashyap, Advocate
		Ms. Kumari Akanksha, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 04-09-2025 Heard learned counsel for the appellant, learned Special Public Prosecutor for the State and learned counsel for the informant.

2. The instant appeal has been filed by the appellant against the order dated 23.06.2025 passed by learned District and Additional Sessions Judge 1st cum Special Judge, SC/ST Bettiah, West Champaran whereby the prayer for bail of the appellant in connection with Bettiah (Muffasil) P.S. Case No. 272 of 2025 under Sections 126(2), 127(2), 115(2), 118(1), 109(1), 303(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 3(1)(r)(s) of SC/ST Act was rejected.



3. The prosecution case, in short, is that due to previous dispute, the accused persons including the appellant assaulted the informant and his brother with deadly weapons, abused them by caste name, looted their money and locket and threatened to kill them.

4. Learned counsel for the appellant submits that the appellant has falsely been implicated in the present case. Learned counsel further submitted that the only specific allegation against the appellant is that he gave *gadasa* blow on the head of the informant. Learned counsel further submitted that the injuries sustained by the informant are simple in nature. Learned counsel for the appellant further submitted that the appellant has not taken the caste name of the informant in public view, hence, no offence under the provisions of SC/ST Act is made out against him. The appellant has no intention to disgrace the image of the informant in public view. The appellant is in custody since 30.05.2025 and has no criminal antecedent.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the appellant.

6. Considering the aforesaid facts and circumstances of the case, nature of injury as also the period of custody



undergone by the appellant, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 23.06.2025 passed by learned District and Additional Sessions Judge 1st cum Special Judge, SC/ST Bettiah, West Champaran whereby the prayer for bail of the appellant in connection with Bettiah (Muffasil) P.S. Case No. 272 of 2025 is hereby set aside.

7. Let the appellant, abovenamed, be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bettiah (Muffasil) P.S. Case No. 272 of 2025.

(Rudra Prakash Mishra, J)

Alok Verma/-

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