

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3949 of 2025

Arising Out of PS. Case No.-112 Year-2025 Thana- DELHA District- Gaya

Golu Kumar @ Rohit Kumar S/O Bachchu Saw @ Laxmi Saw R/O Mohalla-
Murli Pahadi, Station Road, P.S- Kotwali, Distt.- Gaya.

... .. Appellant/s

Versus

1. The State of Bihar
2. Gopal Paswan @ Gopal Kumar S/O Mishri Paswan R/O Mohalla- Andar
Bairagi, P.S- Delha, Dist.- Gaya.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Murad Ashraf, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 18-12-2025 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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for bail vide order dated 13.08.2025 in A.B.P. No. 2526 of 2025 passed by the learned court of the Exclusive Special Judge, S.C./S.T., Gaya in connection with Delha P.S. Case No. 112 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 132, 308(2), 109, 76, 352 & 3(5) of the BNS read with Section 27 of the Arms Act as well as Sections 3(2)(v), 3(1)(r), 3(1)(s) of the



SC/ST (POA) Act.

3. The case of the prosecution in short is that the appellant and the co-accused persons along with 4-5 unknown persons came at the place where Nal-Jal Yojana was going on and they stopped the work and started abusing the labourers. Specific allegation against this petitioner is that he has assaulted with danda to the labourers Sonu Kumar and Lambu. Further allegation against Chhotu Yadav, Raushan Rawani and Golu Kumar (appellant) is that they have abused the complainant with caste name.

4. Learned counsel for the appellant submits that there is only allegation against the petitioner is that of assaulting with danda. It has also been submitted that from perusal of the FIR it is clear that the nature of allegation against Raushan and Golu (appellant) are general and omnibus. It has also been submitted that Raushan Rawani has been granted bail by the learned Co-ordinate Bench vide Cr. App. (SJ) No. 2836 of 2025. The case of this appellant stands on similar footing. Learned counsel for the appellant has further submitted that the appellant is a man of clean antecedent and is in judicial custody since 31.05.2025.

5. Learned Spl. P.P. for the State opposes the appeal.

6. In view of the submissions made by the learned



counsel for the appellant, the order dated 13.08.2025 in A.B.P. No. 2526 of 2025 passed by the learned court of the Exclusive Special Judge, S.C./S.T., Gaya in connection with Delha P.S. Case No. 112 of 2025 is hereby set aside and the appellant above-named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Delha P.S. Case No. 112 of 2025.

7. Accordingly the appeal stands allowed.

(Ashok Kumar Pandey, J)

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