

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.161 of 2026

Arising Out of PS. Case No.-597 Year-2025 Thana- FATEHPUR District- Gaya

1. Bachu Paswan @ Kameshwar Paswan @ Kamesar Paswan S/o Deonandan Paswan R/o Village -Jamheta, P.S.- Fatehpur, District -Gaya
2. Bhagwan Paswan S/o Deonandan Paswan R/o Village -Jamheta, P.S.- Fatehpur, District -Gaya
3. Karan Paswan @ Karan Kumar S/o Gandhi Paswan @ Ramkhelawan Paswan R/o Village -Jamheta, P.S.- Fatehpur, District -Gaya
4. Gandhi Paswan @ Ramkehlawan Paswan S/o Deonandan Paswan R/o Village -Jamheta, P.S.- Fatehpur, District -Gaya

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Pushp Raj Singh, Advocate
For the Respondent/s : Mr. Binay Krishna, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 16-04-2026 Heard learned counsel for the appellants and learned
Spl.P.P. for the State.

2. This is an appeal under Sections 14(A)(2) against refusal of the prayer for anticipatory bail by order dated 17-12-2025 passed by the Exclusive SC/ST (POA) Court, Gaya Ji in connection with Fatehpur P.S. Case No. 597 of 2025 registered under Sections 126(2), 115(2), 190, 191(2), 117(2), 109, 352 of B.N.S. as well as Sections- 3(1)(r), 3(1)(s), 3(2)(V) of SC/ST (POA) Act.

3. As per prosecution case, on 16-08-2025, the



appellants alongwith others came at the house of the informant and started abusing him as well as his family members and on protest made by the informant, the appellants are said to have assaulted him with iron rod, as a result of which, the informant sustained injury. During course of occurrence, the informant's family members are also said to have been assaulted.

4. Learned counsel for the appellants has submitted that the appellants are innocent and they have falsely been implicated in this case due to dirty village politics. The occurrence, whatsoever has not taken place in a public view. There is no specific allegation against the appellants rather general and omnibus allegation has been made against them. There is land dispute between the parties.

5. Learned Special Public Prosecutor for the State has vehemently opposed the prayer for bail of the appellant based upon the allegation made in the F.I.R.

6. It is not in dispute that all the appellants belong to Paswan community and are themselves in the category of Scheduled Caste and therefore, no case under the provisions of SC/ST Act can possibly be made out against the appellants. So far as the allegation of assault as contained in the FIR is concerned, the same has not resulted into any grievous injury to



the informant.

6. Considering all these aspects of the matter, I am inclined to grant anticipatory bail to the appellant and accordingly, the impugned 17-12-2025 passed by the Exclusive SC/ST (POA) Court, Gaya Ji in connection with Fatehpur P.S. Case No. 597 of 2025 is set aside and the appeal stands *allowed*.

7. Let the appellants, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing each of them bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Exclusive SC/ST (POA) Court, Gaya Ji in connection with Fatehpur P.S. Case No. 597 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Alok Kumar Sinha, J)

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