

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.184 of 2026

Arising Out of PS. Case No.-136 Year-2025 Thana- DELHA District- Gaya

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Dhiraj Kumar @ Dheeraj Kumar S/o Sintu Prasad R/o Mohalla- Kharkhura
Tarwana, P.S.- Delha, District- Gaya

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Vinod Kumar, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, SPP
For the Respondent No.2:	:	Mr. Bindeswari Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-06-2026 Heard Mr. Vinod Kumar, learned counsel for the appellant, Mr. Bindeswari Singh, learned counsel appearing on behalf of the Respondent No. 2 as well as Mr. Sadanand Paswan, learned Spl.P.P. for the State.

2. This is an appeal under Sections 14(A)(2) against refusal of the prayer for regular bail by order dated 07.11.2025 passed by the learned Court of Spl. Judge Exclusive, SC/ST (POA) Court, Gaya Ji in connection with CIS No. Bail Appl. Spl. Act 3469 of 2025 arising out of Delha P.S. Case No. 136 of 2025, F.I.R. dated 16.06.2025 registered under Sections 126(2), 115(2), 109, 352 and 3(5) of the BNS, 2023, Sections 25(1-b)a, 26 and 27 of the Arms Act and Sections 3(1) (r), 3 (1) (s), 3(2) (v) of the Scheduled Castes and Scheduled Tribes Act



(Prevention of Atrocities) Act.

3. According to the prosecution case, all the accused persons including this appellant have abused the informant by her caste name and threatened her for dire consequences.

4. Learned counsel for the appellant submits that appellant is innocent and he has falsely been implicated in the present case. Although the appellant is named in the FIR but from perusal of the FIR it appears that there is no specific allegation of assault or overt act attributed against the appellant rather there is general and omnibus allegation against all the accused persons including this appellant. It appears from the FIR itself that no member of public was present at the relevant point of time of the alleged occurrence, thus, no case is made out under the SC/ST Act against the appellant. He further submits that the police, after investigation, submitted charge sheet against the appellant. The appellant is in custody since 23.07.2025.

5. Learned counsel appearing on behalf of the Respondent No. 2 as well as learned Special Public Prosecutor for the State have vehemently opposed the prayer for bail of the appellant on the ground that the appellant carries three criminal antecedents other than the present one but fairly submits that he



is on bail in all the pending matters.

6. Considering the aforesaid facts and circumstances of the case, let the appellant, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of Spl. Judge Exclusive, SC/ST (POA) Court, Gaya Ji in connection with CIS No. Bail Appl. Spl. Act 3469 of 2025 arising out of Delha P.S. Case No. 136 of 2025, with other following conditions:-

i. Appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the appellant tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the appellant and in case at any stage it is found that the appellant have concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the appellant. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the impugned order is set aside and this appeal stands allowed.

(Rajesh Kumar Verma, J)

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