

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.211 of 2026

Arising Out of PS. Case No.-163 Year-2025 Thana- HATHUA District- Gopalganj

Navin Kumar Shah @ Navin Kumar Sah @ Om Prakash Gupta @ Navin Sah
S/o Vramha Sah @ Varma Sah R/o Village- Pachalkhi, PS- Nautan, Distt-
Siwan

... .. Appellant/s

Versus

1. The State of Bihar
2. Ramanti Devi W/o Chhote Manjhi R/o vill - Ratanchak, P.s.- Hathua, Distt.-
Gopalganj

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Suresh Prasad Bhakta, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, SPP
For the Respondent No.2:	:	Mr. Rajen Sahay, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-06-2026 Heard Mr. Suresh Prasad Bhakta, learned counsel for

the appellant, Mr. Rajen Sahay, 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 23.12.2025
passed by the learned Court of District & Additional Sessions
Judge-XI-cum-Special Judge, (SC/ST) Act, Gopalganj in
connection with Hathua P.S. Case No. 163 of 2025, F.I.R. dated
10.06.2025 registered under Sections 126(2), 115(2), 118, 109,
303(2), 352 and 351(3) of the BNS, 2023 and Sections 3(1),
3(1)(g), 3(1)(d), 3(2)(v) of the Scheduled Castes and Scheduled



Tribes Act (Prevention of Atrocities) Act.

3. According to the prosecution case, over a land dispute this appellant along with other accused persons variously armed with weapons have assaulted to the informant/respondent no. 2 and her son due to which both of them have sustained injuries.

4. Learned counsel for the appellant submits that appellant has clean antecedent and he has falsely been implicated in the present case. It appears from the FIR itself, that due to some previous dispute the present occurrence has taken place. Although there is specific allegation against the appellant that he has assaulted to Ramanti Devi but it appears from the impugned order that the injury inflicted upon Ramanti Devi is simple in nature and as far as allegation of assault against the son of Ramanti Devi is concerned, learned counsel submits that it appears from the FIR itself that one Aditya Kumar has assaulted to the son of Ramanti Devi. He further submits that the police, after investigation, submitted charge sheet against the appellant. The appellant is in custody since 02.12.2025.

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 and submits that from perusal of the impugned order it is not clear that whether the injury inflicted upon Ramanti Devi is simple or grievous in nature.

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 District & Additional Sessions Judge-XI-cum-Special Judge, (SC/ST) Act, Gopalganj in connection with Hathua P.S. Case No. 163 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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