

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.585 of 2025

Arising Out of PS. Case No.-36 Year-2024 Thana- SC/ST District- Khagaria

Rahul Kumar S/o- Manikant Mandal Village- Jamalpur Gogri Ps- Gogri Dist-
Khagaria

... .. Appellant/s

Versus

1. The State of Bihar
2. Neha Kumari W/o- Vishal Kumar Village- Jamalpur Gogri Kurmi Tola Ps-
Gogri Dist- Khagaria

... .. Respondent/s

Appearance :

For the Appellant	:	Mr. Parmatma Singh, Advocate
For the State	:	Mr. Binay Krishna, Spl.PP
For the Informant	:	N o n e

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 16-04-2026 Heard learned counsel appearing for the appellant and

learned Special Public Prosecutor appearing for the respondent-

State.

2. Despite valid service of notice, no body appears on
behalf of the informant/Respondent No. 2.

3. This appeal has been filed for setting aside order
dated 08.01.2025 passed in a case registered for the offence
punishable under Sections 126(2), 74, 352, 351(2), 303(2) and
3(5) of the B.N.S. and Sections 3(i)(r)(s)(w) and 3(2)(va) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, whereby the prayer for anticipatory bail of this
appellant has been rejected.



4. As per prosecution case, it is alleged that this appellant pulled the *dupatta* of informant and outraged her modesty.

5. It is submitted by learned counsel appearing on behalf of the appellant that appellant is quite innocent and has committed no offence. Appellant has falsely been implicated in this case due to political rivalry. As a matter of fact, the present case is counter-blast of Gogri P.S. Case No. 343 of 2024 which was lodged by mother of this appellant against informant and others and only with a view to put pressure upon the appellant, this false and concocted case has been lodged. It is further submitted that there is absolutely no allegation of abuse by caste name against this appellant and as such, no case under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is made out against this appellant.

6. Learned Spl. P.P. appearing for the respondent-State has vehemently opposed the prayer for grant of bail to the appellant.

7. Considering the facts and circumstances of the case, general and omnibus nature of accusation and case and counter-case between the parties, this appeal is allowed and the impugned order dated 08.01.2025 passed by the learned



Additional Sessions Judge 1st-cum-Special Judge, SC/ST (POA) Act, Khagaria in connection with Spl. A.B.A. No. 01 of 2025 arising out of Khagaria (SC/ST) P.S. Case No. 36 of 2024 is hereby set aside with respect to this appellant only.

8. Accordingly, let the appellant, named above, in the event of arrest/surrender within a period of eight weeks from the date of receipt/production of a copy of this order, be enlarged 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 Additional Sessions Judge 1st-cum-Special Judge, SC/ST (POA) Act, Khagaria in connection with Khagaria (SC/ST) P.S. Case No. 36 of 2024.

(Prabhat Kumar Singh, J)

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