

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.472 of 2026

Arising Out of PS. Case No.-371 Year-2025 Thana- VIJAYEPUR District- Gopalganj

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AJAY MISHRA S/o Srikishan Mishra Resident of Vill- Madar Khas, P.S-
Vijaipur, Dist- Gopalganj

... .. Appellant/s

Versus

1. The State of Bihar
2. Sunil Ram S/o Shyam Bali Ram Resident of Vill- Madar Khas, P.S- Vijaipur,
Dist- Gopalganj

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Umesh Kumar Singh, Advocate

For the Respondent/s : Mr.Usha Kumari 1, Special PP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

3 16-07-2026

1. Heard learned counsel for the appellant and
learned Special P.P. for the State, Ms. Usha Kumari No. 1.

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 anticipatory bail vide
order dated 19.01.2026 in A.B.P. No. 37 of 2026 passed by
the learned District and Additional Sessions Judge, XI cum-
Special Judge S.C./S.T. (POA) Act, Gopalganj in
connection with Vijaipur P.S. Case No. 371 of 2025
registered for the offences punishable under Sections
126(2), 115(2), 303(2), 352, 351(2) and 3(5) of the
Bhartatiya Nyaya Sanhita, 2023 as well as Sections 3(1)(r),
3(1)(s) of the SC/ST Act.

3. Learned counsel appearing on behalf of the
appellant submits that appellant has antecedent of four



cases, but then the last case was instituted in the year 2014, it is next submitted that informant alleges that on 07.12.2025 at 07:PM while he was coming back home when he was intercepted by the named accused persons including the appellant who abused him taking caste name and the accused persons also assaulted him by slipper on account of which he fell further the accused Dinbandhu Mishra snatched Rs. 2,000/- from his pocket and Dindayal Mishra snatched his mobile and Brijkishore and Ajay tried to strangle him by a muffler.

4. Learned counsel for the appellant submits that appellant has been falsely implicated in the instant case by the informant, it is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that allegation of abuse is general and omnibus in nature, it is further submitted that it does not appear probable that all accused in one go would have abused the informant by taking caste name, it is next submitted that though it is alleged that informant was assaulted, but then no injury was suffered by him nor he discloses the place of occurrence where the occurrence took place rather it is alleged that while he was coming back from a temple when he was intercepted and the occurrence took place, it is next



submitted that the allegation of snatching Rs. 2,000/- and mobile is ornamental in nature

5. Learned Special P.P. for the State and learned counsel appearing on behalf of the informant opposes the appeal.

6. In view of the submissions made by the learned counsel for the appellant, the order dated 19.01.2026 is **hereby set aside** and the appellant above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor court in connection with Vijaipur P.S. Case No. 371 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. Accordingly, the appeal stands allowed.

(Satyavrat Verma, J)

Nitesh/-

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