

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1004 of 2026

Arising Out of PS. Case No.-923 Year-2025 Thana- GARKHA District- Saran

Rahul Kumar @ Goldy Singh @ Goldy S/O Raghunath Singh R/O Vill.-
Sadhpur, P.S.- Garkha, Dist- Saran- 841415

... .. Appellant/s

Versus

1. The State of Bihar
2. Niddu Kumar S/O Umesh Ram R/O Vill. and P.o.- Sadhpur, P.S.- Garkha,
Dist- Saran- 841415

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Jeetendra Narayan, Advocate
For the Respondent/s	:	Mr.Usha Kumari 1, SplPP
For the Informant	:	Mr. Rajesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT

Date : 17-07-2026

Heard learned counsel for the appellant, learned counsel
for the informant/respondent no. 2 and learned Spl.PP for the
State.

2. This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)
Act, 1989 against order dated 13.02.2026 passed by the learned
Exclusive Special Judge, SC/ST(PoA), Saran at Chapra whereby
and whereunder the prayer for grant of anticipatory bail of the
appellant was rejected in connection with Garkha P.S. Case No.
923 of 2025, registered for the alleged offences under Sections
281, 126(2), 115(2), 117(2), 118(2), 352, 303(2), 74, 79, 351(3),
3(5) of the BNS and Sections 3(1)(r)(s) and 3 (2) (va) of the
Scheduled Castes and Scheduled Tribes (POA) Act.

3. As per the prosecution case, while the informant and
one Laxman Kumar had been returning to their village on bike.



The appellant dashed his auto with the bike of the informant and getting down used abusive case language against them and thereafter, he assaulted on their head with iron rod and snatched Rs. 25,000/-. The family members of the informant were also abused and assaulted by the appellant and his family members.

4. Learned counsel for the appellant submits that the appellant is innocent and he has been falsely implicated in this case. The present case is counter blast of Garkha P.S. Case No. 924 of 2025 which has been instituted against the informant Laxman Kumar and others as they dashed their motorcycle to the car of the appellant while the appellant had been going to drop his children to school. Thereafter, some altercation took place and afterwards about hundred persons from the side of the informant including the informant surrounded the house of the appellant. Learned counsel further submits that though there is allegation that appellant assaulted the informant by means of rod due to which he sustained injuries but the injury reports of the informant and his associates only show simple and superficial injury. The injury of the informant is merely a lacerated wound of size 1/2" x 1/2" x skin deep on the occipital region and the injuries seem to be caused by hard and blunt object. Injury of Laxman Kumar is of size 4"x1/8" on the right hand and it is stated to be simple injury caused by hard and blunt object. The injuries on the informant and his associate



show the allegation of assaulting them with iron rod is not correct. Learned counsel further submits that in the background of case and counter case, taking advantage of their community position, the informant has got instituted the present case under the provisions of SC/ST (PoA) Act and at most it is to be taken as a case of road rage. Learned counsel further submits that the appellant is having clean antecedent.

5. Learned Spl.PP as well as learned counsel for the informant/respondent no. 2 vehemently oppose the submission made on behalf of the learned counsel for the appellant. Learned counsel for the informant/respondent no. 2 submits that the appellant first dashed the motorcycle of the informant and thereafter, abused him taking the caste name and also assaulted him by iron rod on his head and there is also injury on the head of the informant. Learned counsel also submits that in the counter case, the appellant has mentioned about his car which was being dashed by the informant but the same is not true.

6. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the case and counter case between the parties and in this background possibility of false accusation under the provision of Scheduled Castes and Scheduled Tribes (PoA) Act, let the appellant above named, in the event of his arrest or surrender before the court



concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned Exclusive Special Judge, SC/ST(PoA), Saran at Chapra court concerned in connection with Garkha P.S. Case No. 923 of 2025, subject to the condition laid down under Section 482(2) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the appellant.
- (ii) The appellant will remain present on each and every date fixed by the court below, if so required by the learned trial court.

7. Accordingly, the impugned order dated 13.02.2026 is set aside and the appeal stands allowed.

(Arun Kumar Jha, J)

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AFR/NAFR	NAFR
CAV DATE	-
Uploading Date	20.07.2026
Transmission Date	

