

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1026 of 2026**

Arising Out of PS. Case No.-825 Year-2025 Thana- GOPALGANJ TOWN District-
Gopalganj

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Sandeep Kumar Gupta @ Sandeep Gupta son of Birendra Sah Resident Of
Village -Chhawahi Khas Police Station- Manjhagarh District -Gopalganj

... .. Appellant/s

Versus

1. The State of Bihar
2. Manohar Kumar Manjhi Son of Sukat Manjhi Resident Of Village
-Chhawahi Khas Police Station- Manjhagarh District -Gopalganj

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Ms. Mili Kumari, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, SPP
For the Informant	:	Mr. Subash Kumar, Advocate

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 16-07-2026 Heard learned counsel for the appellant, learned

Special Public Prosecutor for the State and learned counsel for

the informant. Perused the case diary.

2. The instant appeal has been filed by the appellant
against the order dated 12.01.2026 passed by learned District
and Additional Sessions Judge XI-cum- Exclusive Special
Judge, SC/ST Act, Gopalganj whereby the prayer for bail of the
appellant in connection with Gopalganj (Nagar) P.S. Case No.
825 of 2025 under Sections 126(2), 115(2), 109, 352, 3(5) of the
Bharatiya Nyaya Sanhita, 2023 and Sections 3(1)(r), 3(1)(s) of
SC/ST Act was rejected.



3. The prosecution case, in short, is that the appellant, along with other co-accused, allegedly intercepted the informant, assaulted him with a knife causing injuries, and fled from the spot, whereafter the injured was taken to the hospital and the present F.I.R. was instituted.

4. Learned counsel for the appellant submits that the appellant has falsely been implicated in the present case. Learned counsel further submitted that there is no specific allegation against the appellant rather only general and omnibus allegation has been made against him. He further submits that the specific allegation of assaulting with knife is associated with co-accused Dipak Gupta. He further submits that as per injury report, the injury sustained by the injured is simple in nature. Learned counsel for the appellant further submits that the appellant has not taken the caste name of the informant in public view, hence, no offence under the provisions of SC/ST Act is made out against him. The appellant has no intention to disgrace the image of the informant in public view. The appellant is in custody since 25.12.2025 and has no criminal antecedent.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the appellant.



6. Considering the aforesaid facts and circumstances of the case as also there being no direct allegation against the appellant and the period of custody undergone by him, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 12.01.2026 passed by learned District and Additional Sessions Judge XI-cum- Exclusive Special Judge, SC/ST Act, Gopalganj in connection with Gopalganj (Nagar) P.S. Case No. 825 of 2025 is hereby set aside.

7. Let the appellant, abovenamed, be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gopalganj (Nagar) P.S. Case No. 825 of 2025.

(Rudra Prakash Mishra, J)

Alok Verma/-

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