

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1183 of 2026

Arising Out of PS. Case No.-541 Year-2024 Thana- GAYA KOTWALI District- Gaya

1. Sanjeet Kumar Singh S/O Madan Singh
2. Santosh Kumar Singh @ Santosh Kumar S/O Madan Singh
Both are R/O Mohalla - New Godown, P.S- Kotwali, Dist- Gaya ji

... .. Appellants

Versus

1. The State of Bihar
2. Munna Ram S/O Ramdas Mochi R/O Mohalla - New Godown, Ravidas Tola
P.S- Kotwali, Dist- Gaya ji

... .. Respondents

Appearance :

For the Appellant/s	:	Mr. Ajay Kumar Sinha, Advocate
For the Informant	:	Mr. Arvind Kumar, Advocate
For the Respondent/s	:	Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 17-07-2026 Heard learned counsel appearing for the appellants
and learned Special Public Prosecutor for the State.

2. Both above-named appellants have preferred the present appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (for short 'the Act') for setting aside the impugned order dated 25.02.2026 passed by the learned Exclusive Special Judge, SC/ST, Gaya Ji in connection with Kotwali P.S. Case No.541 of 2024.

3. Present appeal is well within limitation as prescribed



under Section 14A(3) of the Act.

4. Accused/appellants are named in the FIR and apprehending their arrest in connection with Kotwali P.S. Case No.541 of 2024 registered for the offences punishable under Sections 126(2), 115(2) 352 read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (in short 'B.N.S.') as well as Section 3(i)(r)(s) of the SC/ST (POA) Act.

5. The informant alleged that appellants/co-accused persons assaulted him by using iron rod, fight, fist etc., when he refused to clean his toilet and was also alleged to abuse by his caste name.

6. It is submitted by learned counsel appearing for the appellants that admittedly the informant is a cleaner and when the appellants asked him to clean their house due to certain differences arising out of charges, the present false case was lodged. It is further submitted that the magnitude of physical assault as alleged must cause some injuries but this is not a case of injury and therefore, the allegations as raised by informant appears doubtful. It is further submitted that the allegations of abusing in caste name also not



appears to be made in public view. While concluding argument, it is submitted that the FIR in issue was lodged after a delay of six days without any just explanations. Moreover, the appellants found involved in one more criminal case, where they are on bail.

7. Learned Spl. PP opposes the prayer of bail.

8. Learned counsel appearing for the informant, Mr. Arvind Kumar, while opposing the prayer of bail submitted that the appellants actively participated in the occurrence.

9. In view of aforesaid factual submissions and by taking note of fact, as allegations qua physical assault is appearing very much general and omnibus in nature, where no injury was received by informant during the occurrence, coupled with the fact that the allegations as to abuse in caste name prima facie not appears to be made in public view, where FIR in issue appears lodged with delay of six days without having any just explanations, accordingly, both above-named appellants, in the event of their arrest or surrender before the court below within a period of four weeks from today, are directed to be released on bail on



furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, SC/ST, Gaya Ji in connection with Kotwali P.S. Case No.541 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure (in short 'CrPC')/under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (in short 'BNSS').

10. Accordingly, the impugned order dated 25.02.2026 as passed by learned Exclusive Special Judge, SC/ST, Gaya Ji is set aside.

11. The appeal stands allowed.

(Chandra Shekhar Jha, J.)

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