

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1629 of 2025**

Arising Out of PS. Case No.-75 Year-2024 Thana- MAIGRA District- Gaya

Rohit Kumar S/O Late Krishna Prajapat R/O Vill.- Bikua Kalan, P.S.- Maigra,
Dist.- Gaya.

... .. Appellant/s

Versus

1. The State of Bihar
2. Karan Kumar S/O late Arjun Dom R/O Vill.- Narayanpur, P.S.- Maigra,
Dist.- Gaya.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Md. Javed Jafar Khan, Advocate
For the Respondent/s : Ms. Usha Kumari 1, SPP

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

ORAL ORDER

3 29-01-2026 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 20.03.2025 passed by learned Exclusive Court of the Special Judge, SC/ST, Gaya whereby the prayer for bail of the appellant in connection with Maigra PS Case No. 75 of 2024 instituted under Sections 126(2), 115(2), 352, 351(2), 287 & 109 of the Bharatiya Nyaya Sanhita, 2023 and Sections 3(1)(s) & 3(1)(r) of SC/ST Act was rejected.

3. The prosecution case, briefly, is that on 02.09.2024 at about 7:00 P.M., the informant was allegedly abused by appellant at Bhola Shop, Maigra, due to a prior loan dispute. It



is alleged that appellant set fire to the petrol tank of the informant's bike with a matchstick, causing flames to also catch the informant, who was saved by villagers.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. There is delay of eight days in lodging the FIR. Informant allegedly sustained 75 % burn injury. 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 22.02.2025 and has no criminal antecedent.

5. Learned Special P.P. for the State has vehemently opposed the prayer for grant of bail to the appellant. It is submitted that there is specific allegation against the appellant that he lit the motorcycle of the informant due to which he sustained 75 % burn injury, hence, appellant may not be released on bail.

6. Considering the aforesaid facts and circumstances of the case, there being direct allegation against the appellant,



this Court, at this stage, is not inclined to allow the appeal.
Appeal is, accordingly, *dismissed*.

7. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

8. However, appellant will be at liberty to renew his prayer for bail in the Court below if the trial is not concluded within a period of four months from the date of receipt/production of a copy of this order.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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