

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.1614 of 2026**

Arising Out of PS. Case No.-586 Year-2025 Thana- MIRGANJ District- Gopalganj

Bablu Singh Kushwaha S/O Suryalal Singh Kushwaha R/O Vill.- Balchand Hata, P.S.- Siwan Mufassil, Dist.- Siwan. Presently R/at Vill.- Rajapur, P.S.- Uchkagaon, Dist.- Gopalganj, Bihar.

... .. Appellant/s

Versus

1. The State of Bihar
2. Rajendra Ram S/O Nathuni Ram R/O Vill.- Chak Mahmuda, P.s.- Maharajganj, Dist.- Siwan.

... .. Respondent/s

**Appearance :**

|                   |   |                                     |
|-------------------|---|-------------------------------------|
| For the Appellant | : | Mr. Priyanshu Kumar Singh, Advocate |
| For the State     | : | Ms. Abha Singh, Spl.PP              |
| For the Informant | : | Mr. Prashant Kumar, Advocate        |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      25-06-2026                      Heard learned counsel appearing for the appellant, learned Special Public Prosecutor appearing for the respondent-State and learned counsel appearing for the informant/Respondent No. 2.

2. This appeal has been filed for setting aside order dated 25.03.2026 passed in a case registered for the offence punishable under Sections 316(2), 318(2), 351(2) and 352 of the B.N.S., whereby the prayer for grant of anticipatory bail of this appellant has been rejected.

3. As per prosecution case, it is alleged that on 19.11.2025, this appellant, along with 3-4 unknown persons, came at Office of informant and started abusing him and



threatened to kill him.

4. It is submitted by learned counsel appearing on behalf of the appellant that appellant is quite innocent and has committed no offence. As per F.I.R., the alleged occurrence took place on 19.11.2025 whereas the present F.I.R. has been lodged after inordinate delay of 20 days on 09.12.2025 and there is no plausible explanation for the same which itself makes the entire prosecution case doubtful. As a matter of fact, appellant has given complaint against the informant before the Secretary, Panchayati Raj Department, Government of Bihar on 30.05.2025 and also before the Vigilance Department, acting upon which the concerned officials have directed the District Magistrate, Gopalganj to conduct an enquiry and in retaliation of the same and only with a view to put pressure upon the appellant to withdraw the aforesaid complaint, this false and concocted case has been lodged. It is further submitted that it is not the case of the prosecution that any member of public was present at the place of occurrence and as such, no case under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is made out against this appellant. Appellant claims clean antecedents.

5. Learned Spl. P.P. appearing for the respondent-State



and learned counsel appearing for the informant/Respondent No. 2 have vehemently opposed the prayer for grant of bail to the appellant.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, delay in lodging of the F.I.R. and clean antecedents of the appellant, this appeal is allowed and the impugned order dated 25.03.2026 passed by the learned District and Additional Sessions Judge-XI-cum-Special Judge, SC/ST (POA) Act, Gopalganj in connection with A.B.P. No. 99 of 2026 arising out of Mirganj P.S. Case No. 586 of 2025 is hereby set aside with respect to this appellant only.

7. Accordingly, let the appellant, named above, in the event of arrest/surrender within a period of eight weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-XI-cum-Special Judge, SC/ST (POA) Act, Gopalganj in connection with Mirganj P.S. Case No. 586 of 2025.

**(Prabhat Kumar Singh, J)**

shashank/-

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