

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1795 of 2026**

Arising Out of PS. Case No.-274 Year-2023 Thana- GHORASAHAN District- East
Champaran

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Baidhnath Prasad @ Baidhnath Prasad Jaiswal Son of Late Gorakh Prasad @
Gorakh Ram Resident of Village- Ghorasahan, Ward No. 03, P.S.-
Ghorasahan, District- East Champaran at Motihari, Bihar

... .. Appellant/s

Versus

1. The State of Bihar
2. Mukesh Baitha Son of Jagarnath Baitha Resident of Village- Athmohan,
P.S.- Jharokhar, District- East Champaran, Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Rajiv Prashant
For the Respondent/s : Ms.Usha Kumari 1

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 06-07-2026 1. Heard learned counsel for the appellant and the
learned Special Public Prosecutor for the State.

2. The appellant has challenged the order dated
13.04.2026 passed by the learned Special Judge, SC/ST Act,
East Champaran, Motihari in connection with Trial No.50 of
2026 arising out of Ghorasahan P. S. Case No. 274 of 2023,
instituted for the offences under Sections 341, 323, 324, 506,
504/ 34 of the Indian Penal Code and Section 3(i)(r)(s) of the
Scheduled Castes & Scheduled Tribes (Prevention of Atrocities)
Act, whereby his prayer for grant of anticipatory bail has been
rejected.

3. The learned counsel appearing on behalf of the



appellant submits that appellant is an old ailing person aged about 82 years. It is further submitted that appellant had moved this Court seeking anticipatory bail by filing Cr. Appeal (S.J.) No.5061 of 2023 and the same came to be rejected by an order dated 07.10.2024. It is further submitted that thereafter the appellant moved before the Hon'ble Supreme Court seeking anticipatory bail application by filing Special Leave to Appeal (Criminal) No.7809 of 2025 and the same also came to be rejected by an order dated 08.07.2025 and the appellant was permitted two weeks' time to surrender and apply for regular bail. It is further submitted that thereafter appellant was arrested on 06.10.2025. It is further submitted that thereafter appellant moved this Court seeking regular bail by filing Cr. Appeal (SJ) No.4862 of 2025 and the same was permitted to be withdrawn by an order dated 25.02.2026 with liberty to the appellant to renew his prayer for bail after framing of charge. It is next submitted that charges against the appellant stands framed by an order dated 12.03.2026.

4. At this stage, the learned counsel appearing on behalf of the Special P.P. submits that appellant has antecedent of 12 cases and if privilege of regular bail is granted, the appellant may abscond, on which the learned counsel appearing



on behalf of the appellant submits that appellant now is an old and ailing person aged about 82 years and if privilege of regular bail is granted, the appellant will not abscond rather will cooperate in the trial to prove his innocence and shall not indulge in any act of threatening the witness or tampering with evidence.

5. The learned Special P. P. opposes the regular bail application.

6. After hearing the learned counsel for the parties and considering the submission made by the learned counsel appearing on behalf of the appellant and also taking into consideration the age of the appellant, the appellant, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST Act, East Champaran, Motihari in connection with Trial No.50 of 2026 arising out of Ghorasahan P. S. Case No. 274 of 2023, with a condition that one of the bailors of the appellant shall be his daughter, namely, Neelam Kumari.

7. It is further made clear that if the learned trial court comes to a conclusion that appellant after his release is trying



the delay the trial of the case in any manner, the learned trial court shall be at liberty to cancel the bail bonds of the appellant after recording reason.

(Satyavrat Verma, J)

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