**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL APPEAL (SJ) No.3217 of 2026**

**CNR No. BRHC010828082026**

Arising Out of PS. Case No.-152 Year-2026 Thana- LAKHAURA District- East Champaran

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Rahul Kumar Singh @ Rahul Singh S/o Late Lalan Pratap Singh @ Late Lalan Singh Resident of Village - Bhawanipur Zirat near Rowing club, P.S. - Chhatauni, Dist. - East Champaran.

... ... Appellant/s

Versus

1.The State of Bihar
2. Praveen Kumar, Officer-in-charge, Lakhaura Police Station, District-East Champaran.

... ... Respondent/s

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**Appearance :**
For the Appellant/s : Mr. Rajesh Kumar, Advocate
Mr. Sitesh Kashyap, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl. P.P.

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**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**

ORAL ORDER

5 29-10-2026 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 07.07.2026 passed by learned Special Judge, SC/ST Court, East Champaran, Motihari whereby the prayer for bail of the appellant in connection with Lakhaura P.S. Case No. 152 of 2026 registered for the offence under Sections 126(2), 115(2), 121, 132, 352(2) and 351(1) of the B.N.S. and Sections 3(i)(r)(s) of SC/ST Act was rejected.

3. The case of the respondent, in short, is that while the police has gone to apprehend the appellant in Lakhaura P.S. Case No. 141 of 2026, it is alleged that the appellant has

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misbehaved with the respondent and abused him with caste name and it is also alleged that in the police vehicle, he has pushed the respondent, caught his collar, abused with caste name and threatened him of dire consequences.

4. It is submitted by learned counsel for the appellant that appellant is innocent and has committed no offence. He has been falsely implicated in this case. Learned counsel for the appellant has further submitted that from perusal of the F.I.R. itself it is clear that only allegation against the appellant is that he has pushed the respondent who is a Police Officer in the vehicle itself. The respondent has not received any injury. As far as the allegation of abusing the respondent with caste name is concerned, the same is not in public view. It has further been submitted that though appellant is having criminal antecedent of seventeen cases but in most of the cases, he is on bail. It has further been submitted that in the case in which the respondent has gone to apprehend the appellant, in that case he has been granted bail. Moreover, the appellant is languishing in judicial custody since 23.06.2026.

5. Learned Spl. P.P. for the State has vehemently opposed the appeal for bail and has submitted that the appellant is having criminal antecedent of seventeen cases.

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6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 07.07.2026 passed in connection with Lakhaura P.S. Case No. 152 of 2026 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Lakhaura P.S. Case No. 152 of 2026 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, SC/ST Court, East Champaran, Motihari.

**(Ashok Kumar Pandey, J)**

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