

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3493 of 2025**

Arising Out of PS. Case No.-42 Year-2025 Thana- TANKUPPA District- Gaya

Chandan paswan @ Chandan Kumar Son of Kapil paswan R/o Village -
Badha Bigha, P.S. - Tankuppa, Dist. - Gaya.

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Anuj Paswan Son of Baleshwar Paswan R/o Village - Badha Bigha, P.s. -
Tankuppa, Dist. - Gaya.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Aryan Singh, Advocate
For the Respondent/s : Ms.Usha Kumari 1, APP

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER**

3 15-05-2026 Heard learned counsel for the appellant, learned
counsel for the Informant and learned Spl. P.P. for the State.

2. This appeal is preferred against the order dated
12.06.2025 passed by the learned Exclusive Special Judge,
SC/ST Act, Gaya in connection with Tankuppa P.S. Case No. 42
of 2025 registered under Sections 191(2), 190, 115, 118(1),
303(2) and 109 of B.N.S. of the Indian Penal Code and under
Section 3(1)(r)(s) of the SC/ST Act by which the prayer of the
appellant for grant of regular bail has been rejected.

3. As per the prosecution case, the appellant is alleged
to have assaulted the informant and have abused him by taking
caste name.



4. Learned counsel for the appellant submits that the appellant has falsely been implicated in this case and no offence under the provisions of SC/ST Act is made out in this case as the informant and the appellant are relatives. Appellant claims clean antecedent and he is in custody since 16.05.2025.

5. Learned counsel for the State has opposed the prayer of the appellant.

6. From the reading of the entire FIR it does not appear that offence has been committed against the informant on the ground that he is a member of SC/ST community and primarily, it appears that the occurrence has taken place because the appellant and the informant were having some monetary dispute.

7. In these circumstances, this application for grant of regular bail is held to be maintainable.

8. Considering the facts of the case and the rival submissions of the parties, this appeal is allowed and accordingly, the order dated 12.06.2025 passed by the learned Exclusive Special Judge, SC/ST Act, Gaya in connection with Tankuppa P.S. Case No. 42 of 2025, is hereby set aside.

9. Accordingly, let the appellant, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten



Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, SC/ST Act, Gayaji /concerned Court below in connection with Tankuppa P.S. Case No. 42 of 2025.

(Sandeep Kumar, J)

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