

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3565 of 2025**

Arising Out of PS. Case No.-32 Year-2025 Thana- DINARA District- Rohtas

Anand Kumar Mishra @ Anand Ojha Son of Ajay Kumar Mishra @ Ajay Kumar Mishra, Resident of Village- Asiya PS -Natwar District -Rohtas

... .. Appellant/s

Versus

1. The State of Bihar
2. Amrendra Ram Son of Sunil Ram Resident of Village- Khanita, Po- Lilwachh, Ps- Dinara, Dist- Rohtas

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ashutosh Tripathy, Advocate
For the State	:	Ms. Usha Kumari 1, Spl. P.P.
For the Respondent No.2:	:	None

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

3 23-02-2026 Heard Ld. counsel for the appellant and Ld. Special Public Prosecutor for the State.

2. Notice has been already issued to the Respondent No.2/Informant and the same has been served upon him. But despite such service of notice, nobody is present on behalf of the Informant/Respondent No.2 herein.

3. The present appeal has been preferred by the appellant under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the order dated 04.08.2025, passed by learned Special Court SC/ST, Rohtas at Sasaram in Dinara P.S. Case No. 32 of 2025, whereby learned Court below has rejected the application of the



Appellant for anticipatory bail.

4. As per allegation, co-accused Guddu Dubey and Doctor Yadav along with four other persons came at the stall of the informant, who belongs to Dhobi caste coming under Scheduled Castes, and beat him and co-accused Guddu Dubey threatened to kill him by pistol and also abused by caste name. The informant do the work of ironing of clothes and they had come for the ironing of their clothes and for extortion. The occurrence took place on account of refusal of the informant to pay rangdari.

5. Ld. counsel for the appellant submits that the appellant is innocent and has falsely been implicated in this case. He further submits that appellant is not named in the F.I.R. As per allegation, four unknown persons were at the place of occurrence along with main accused-Guddu Dubey and Doctor Yadav. He further submits that the appellant is being harassed by the informant on account of suspicion, whereas he was not involved in the alleged offence and nothing to do with the occurrence. He further submits that the confessional statement of any co-accused has no evidentiary value against the appellant.

6. It is also stated in paragraph no. 2 of the petition



that the appellant has not moved earlier before this Court for grant of anticipatory bail. It has further been stated in paragraph no. 3 that the appellant has no criminal antecedent.

7. However, the Ld. Special Public Prosecutor for the State vehemently opposes the prayer of the appellant for anticipatory bail.

8. Considering the aforesaid facts, prima facie no offence is made out under SC/ST Act against the appellant and in view of the nature of the offence, the present appeal is allowed, setting aside the impugned order dated 04.08.2025, passed by learned Special Court SC/ST, Rohtas at Sasaram in Dinara P.S. Case No. 32 of 2025 and directing the appellant, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court below, in connection with Dinara P.S. Case No. 32 of 2025, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court



below that the appellant has any criminal antecedents, learned court below shall cancel the bail bonds of the appellant after hearing him and getting satisfied that the appellant has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the appellant.

9. The appeal stands allowed, accordingly.

(Jitendra Kumar, J.)

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