

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3660 of 2025

Arising Out of PS. Case No.-15 Year-2025 Thana- MAIN P.S. District- Gaya

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Alok Kumar S/O Munna Prasad @ Shambhu Prasad R/O Vill.- Daulatpur,
P.S.- Alipur, Dist.- Gaya.

... .. Appellant/s

Versus

1. The State of Bihar
2. Baij Nath Kumar S/O Shyam Charan Mochi R/O Vill and P.O.- Kespa, P.S.-
Alipur, Dist.- Gaya- 824235

... .. Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 16-04-2026 Heard learned counsel for the appellant and learned
Spl. PP for the State.

2. The appellant has preferred the appeal under Section 14(A)(2) of the SC/ST Act against the rejection of prayer for pre-arrest bail *vide* order dated 06.08.2025 passed by learned Exclusive Special Judge, SC/ST Gaya, in ABP No.211/2025 in connection with Men P.S. Case No. 15/2025 registered under Sections 191(2),190,126,115(2),117,352,351(2) of the BNS and Sections 3(1)(r),3(1)(s),3(2)(va) of the SC/ST Act.

3. As per the allegation made in the F.I.R., the accused persons named therein including the appellant have slated the



informant in the name of his caste and also assaulted him, causing head injury.

4. Learned counsel appearing on behalf of the appellant submitted that the appellant is innocent and has falsely been implicated in the present case. Appellant has no concern with the aforesaid occurrence. He has been falsely implicated in the case due to enmity. The allegation levelled against the appellant is not specific rather general and omnibus in nature. The injury sustained by the informant has been opined by the doctor to be simple in nature, caused by hard and blunt substance. Appellant has clean antecedent.

5. Learned Spl.PP for the State has opposed the prayer for grant of bail to the appellant.

6. Having heard the rival submissions made on behalf of the parties and upon perusal of the allegations made in the FIR, it appears that only general and omnibus allegations have been levelled against the appellant that he, along with other co-accused persons, assaulted the informant, however, the injury sustained by the informant has been opined by the doctor to be simple in nature, caused by hard and blunt substance. It is further not ascertainable from the record that the appellant abused the informant by uttering caste-related words in public



view. In such circumstances, the impugned order dated 06.08.2025 is quashed and set-aside as the bar under Section 18 of the SC/ST Act is not attracted.

7. The trial court is directed to release the appellant, above named, who is having clean antecedent, on bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending in connection with Men P.S. Case No.15/2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C / 482 (2) of the BNSS.

8. Accordingly, the appeal is allowed.

(Purnendu Singh, J)

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