

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3801 of 2025**

Arising Out of PS. Case No.-34 Year-2025 Thana- SC/ST District- Gaya

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1. Amit Kumar @ Amit Yadav Son of Suresh Prasad Yadav @ Suresh yadav Resident of Village -Gopi Bigha PS -Magadh Medical District- Gaya
 2. Guddu Yadav @ Hemant Kumar Himanshu @ Guddu yadav Son of Suresh Prasad Yadav @ Suresh yadav Resident of Village -Gopi Bigha PS -Magadh Medical District- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Randhir Paswan son of Ramswarup Paswan Resident of Village - Dhanawan, Po- Bagdaha, Ps- Bodhgaya, Dist- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Shailesh Kumar
For the Respondent/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 23-02-2026 Heard the parties.

2. The appellant has preferred the present appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (for short 'the Act') against the order dated 02.08.2025 passed by the learned Exclusive Special Judge, SC/ST, Gaya in A.B.P. No. 207/2025 in connection with SC/ST P.S. Case No. 34/2025 registered under Sections 126(2), 115(2), 352, 303(2) and 3(5) of the BNS and Sections 3(i)(r)/3(1)(s) of the SC/ST (POA) Act.

3. Present appeal is well within limitation as prescribed under Section 14A(3) of the Act.



4. Despite service of notice to respondent no. 2, informant failed to join the present Court proceedings.

5. As per FIR, informant was assaulted by appellants during the course of occurrence and also snatched Rs. 700/- from him, when appellants approached to informant for wheel air filling of motorcycle.

6. Learned counsel appearing for the appellants submitted that allegation against appellants appears very much general and omnibus and regarding same set of occurrence appellant's side also lodged a case which has been registered as Bodh Gaya P.S. Case No. 346 of 2025 on the very next day i.e., on 17.05.2025, taking shelter of his caste informant lodged the present case, after seven days just to create pressure upon appellants, who are men of clean antecedent. It is submitted that allegation of abusing caste name not appears available in public view. It is also pointed out that informant compromised in with appellant in terms of compromise petition, available at **Annexure-P/2** of petition.

7. Learned Special P.P. opposed the prayer of bail.

8. In view of the facts and circumstances, as allegation *qua* physical assault is not appearing specific against appellants and abusing in caste name also not appears to be made in public



view, accordingly, all above-named appellants in the event of their arrest or surrender before the learned trial Court, within a period of four weeks of the order, are directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, SC/ST, Gaya/concerned Court, where the case is pending in connection with A.B.P. No. 207/2025 in connection with SC/ST P.S. Case No. 34/2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

9. Accordingly, impugned order dated 02.08.2025 is hereby set aside/quashed.

10. Hence, appeal stands allowed.

(Chandra Shekhar Jha, J)

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