

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3775 of 2025

Arising Out of PS. Case No.-350 Year-2025 Thana- GORAUL District- Vaishali

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1. Amod Kumar @ Amod Sah S/O Mahavir Sah Resident of Village- Rashulpur Kori Gaon, P.S- Goroul, Distt.- Vaishali.
 2. Mahavir Sah S/O Parikshan Sah Resident of Village- Rashulpur Kori Gaon, P.S- Goroul, Distt.- Vaishali.
 3. Manoj Kumar @ Manoj Sah S/O Ram Ji Sah Resident of Village- Rashulpur Kori Gaon, P.S- Goroul, Distt.- Vaishali.
 4. Rupesh Kumar S/O Gabbar Sah Resident of Village- Rashulpur Kori Gaon, P.S- Goroul, Distt.- Vaishali.

... .. Appellant/s

Versus

1. The State of Bihar
2. Savita Devi W/O Shiv Kumar Paswan Resident of Village- Rashulpur Kori Gaon, P.S- Goroul, Distt.- Vaishali.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Subhash Kumar
For the Respondent/s	:	Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 23-02-2026 Heard the parties.

2. The appellants have 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 19.08.2025 passed by the learned Exclusive Special Judge (SC/ST) Act, Vaishali at Hajipur /concerned Court, where the case is pending in connection with Goroul P.S. Case No. 350 of 2025



registered under Sections 191(2), 191(3), 126(2), 115(2), 118(1), 74, 303(4), 352(2) of BNS and Sections 3(i)(r)(s) of SC/ST (POA) Act.

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

4. As per FIR, appellants alleged to assault informant after criminal trespass to his house and also alleged to abuse in caste name of the informant. Informant claimed to be a member of the SC community.

5. Learned counsel for the appellant submitted that prior to this occurrence appellant's side lodged a case against informant which was lodged as Goroul P.S. Case No. 349 of 2025 and in retaliation the present case was lodged as Goroul P.S. Case No. 350 of 2025. It is submitted that in fact the appellant's received grievous injury during occurrence. It is also submitted that allegation *qua* physical assault is appearing very general and omnibus against appellants and moreover, the allegation as to abuse in caste name also not appears to



be made in public view. In support of his submission learned counsel relied upon the legal report of Hon'ble Supreme Court as available through ***Hitesh Verma v. State of Uttarakhand, (2020) 10 SCC 710.*** It is submitted that the occurrence in actual took place due to neighborhood dispute and differences as the informant usually blocked the common passage. Appellants claimed clean antecedent.

6. Learned Spl.PP duly assisted by learned counsel for the informant while opposing the bail submitted that appellants were found actively involved during the occurrence and the abuse in caste name was also made in public.

7. Let it be so, as allegation *qua* physical assault is appearing very much general and omnibus in nature, coupled with the fact that *prima-facie* abuse in caste name also not appears to be made in public view, accordingly all above-named four appellants in the event of their arrest or surrender before the learned trial Court,



within a period of six weeks of the order, are directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (SC/ST) Act, Vaishali at Hajipur /concerned Court, where the case is pending in connection with Goroul P.S. Case No. 350 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. Accordingly, impugned order dated 19.08.2025 is hereby set/quashed.

9. Hence, appeal stands allowed.

(Chandra Shekhar Jha, J)

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