

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3753 of 2025

Arising Out of PS. Case No.-39 Year-2025 Thana- SC/ST District- Gopalganj

Ahmed @ Ahmad Hussain @ Mate Ahmad @ Ahmed Mate S/o Moharam
Miyani @ Moharam Miya Resident of village- Mananpur, Nawada, PS-
Govindganj, Dist- East Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Rakesh Kumar Choudhary S/o Shyamdev Choudhary R/o vill - Koirigawan,
P.S.- Barharia, Distt.- Siwan, Presently posted as the Junior Engineer, Rural
Works Department, Works Division, P.S.- Gopalganj, Gopalganj

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Vatsal Verma

For the Respondent/s : Mrs.Usha Kumari 1

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 27.08.2025 passed by the learned District and Additional Sessions Judge XI cum Special Judge (SC/ST) Act, Gopalganj /concerned Court, where the case is pending in connection with Gopalganj (SC/ST) P.S. Case No. 39 of 2025 registered under Sections 126(2), 115(2), 132, 351(2), 352 and 3(5) 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, the appellant abused informant in his caste name, who is a junior engineer during work inspection.

5. Learned counsel for the appellant submitted that the appellant was not aware about the caste of the informant being Junior engineer when he inspected the site. It is submitted that appellant is a labor working at the site. It is submitted that when the labor and other workers could not stop lawful work of the contractor as per his instructions, the present false implication was raised against appellant as to abuse in caste name alongwith other co-accused persons. It is submitted that allegation was not made in public view, therefore no *prima-facie* case is supposed to be make out. 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. The appellant claimed clean antecedent.

6. Learned Spl.PP duly assisted by learned counsel for the informant while opposing bail submitted that the abuse in caste name was made by the appellant alongwith other co-accused persons when the informant visited work place in capacity of junior engineer.

7. In view of aforesaid factual submissions and by taking note of fact, as abuse in caste name *prima-facie* not appears specifically alleged against this appellant and further same not appears to be made in public view, accordingly, above-named appellant in the event of his arrest or surrender before the learned trial Court, within a period of six weeks of the order, is 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 District and Additional Sessions Judge XI cum Special Judge (SC/ST) Act, Gopalganj /concerned Court, where the case is pending in connection with Gopalganj (SC/ST) P.S.



Case No. 39 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. Accordingly, impugned order dated 27.08.2025 is hereby set/quashed.

9. Hence, appeal stands allowed.

(Chandra Shekhar Jha, J)

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