

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3816 of 2025

Arising Out of PS. Case No.-90 Year-2025 Thana- SIKARHATTA District- Bhojpur

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1. Rajnish Kumar Manoj Kumar Rai @ Manoj Kumar Rai Resident of Village - Ramnagar, P.S. - Tarari, Dist. - Bhojpur.
 2. Bikash Kumar Ray @ Bikash Kumar Son of Manoj Kumar Ray @ Manoj Kumar Rai Resident of Village - Ramnagar, P.S. - Tarari, Dist. - Bhojpur.

... .. Appellant/s

Versus

1. The State of Bihar
2. Krishna Kumar Son of Vijay Ram Resident of Village - Beldihari, P.S. - Sikarhatta, Dist. - Bhojpur.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Manoj Kumar

For the Respondent/s : Mr.Sadanand Paswan

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 03.09.2025 passed by the learned Additional Sessions Judge-1-cum-Special Judge SC/ST Act, Bhojpur at Ara, in connection with Sikarhatta P.S. Case No. 90 of 2025 registered under Sections 126(2), 115(2), 191(2), 190, 109, 352 and 351(2) of the BNS, Section 27 of the Arms Act and Sections 3(i)(r)/3(1)(s) and 3(2)(v) 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 appellants along with other co-accused persons open fired upon informant and also started abusing in caste name, while they were sitting in a temple. Informant claimed himself to be member of Schedule Caste community.

6. Learned counsel appearing for the appellants submitted that allegation of firing is not available against appellants rather same was raised in very general and omnibus manner just to aggravate the allegation, where no injury was caused out of alleged firing. It is also submitted that allegation *qua* abusing in caste name in public view not appears available and moreover appellants are men of clean antecedent. 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]**.

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

8. In view of the aforesaid facts and circumstances, as mentioned above and by taking note of fact as allegation of firing appears very much general and omnibus in nature and abusing in caste name also not appears to be made in public view, accordingly, both 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 ADJ 1st cum Special Judge SC/ST Act, Bhojpur at Ara/concerned Court, where the case is pending in connection with Sikarhatta P.S. Case No. 90 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

9. Accordingly, impugned order dated 03.09.2025 is hereby set aside/quashed.

10. Hence, appeal stands allowed.

(Chandra Shekhar Jha, J)

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