

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3814 of 2025

Arising Out of PS. Case No.-162 Year-2025 Thana- MURLIGANJ District- Madhepura

Md. Hakeem Miya @ Md. Hakeem S/O Md. Samid Miya R/O Village-
Bhatkhora, Mushharniya Rahi, Ward No.- 05, P.S- Murliganj, Distt.-
Madhepura.

... .. Appellant/s

Versus

1. The State of Bihar
2. Poonam Devi W/O Lalan Rishideo R/O Village- Bhatkhora, Mushharniya
Rahi, Ward No.-06, P.S- Murliganj, Distt.- Madhepura.

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 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 22.08.2025 passed by the learned Additional District and
Sessions Judge 1st cum Special Judge, Madhepura, in A.B.P. No.
1061/2025 in connection with Murliganj P.S. Case No. 162/2025
registered under Sections 96/137(2) of the BNS and Sections 3(i)
(r)(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, co-accused Md. Mujahir and others with involvement of appellant kidnapped the minor daughter of informant aged about 14 years for the purpose of illicit intercourse/marriage. Informant claimed herself to be member of Schedule Caste community.

6. Learned counsel appearing for the appellant submitted that specific allegation as to kidnap the minor daughter of informant is available against co-accused Md. Mujahir, where this appellant appears implicated only for the reasons as he was part of the crowd and on the basis of suspicion he was implicated with present case. It is also submitted that allegation *qua* abusing caste name in public view not appears available and moreover appellant is a man 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 facts and circumstances, as mentioned above and by taking note of fact as prima-facie implication of appellant with the present case is merely on the basis of suspicion rather same is specifically available against co-accused Md. Mujahir and abusing in caste name also 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 four 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 Additional District and Sessions Judge 1st cum Special Judge, Madhepura/concerned Court, where the case is pending in connection with A.B.P. No. 1061/2025 in connection with Murliganj P.S. Case No. 162/2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

9. Accordingly, impugned order dated 22.08.2025 is hereby set aside/quashed.

10. Hence, appeal stands allowed.

(Chandra Shekhar Jha, J)

S.Tripathi/-

U		T	
---	--	---	--

