

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4125 of 2025

Arising Out of PS. Case No.-295 Year-2024 Thana- AMAS District- Gaya

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Aashish Tiger @ Ramashish Kumar @ Aashish Kumar @ Aashish Yadav @ Tiger @ Ashishish Tiger R/O Dwarika Yadav @ Dawarika Yadav @ Dwarika Prasad @ Tippi Yadav R/O Vill.- Ahuri Maliyachak Mahuavan,P.S- Amas,Dist.- Gayajee

... .. Appellant/s

Versus

1. The State of Bihar
2. Kumari Pratima W/O Vinay Kumar Das @ Vijay Prasad R/O Vill.- Ahuri Maliyachak Mahuavan,P.S- Amas,Dist.- Gayajee

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Arvind Kumar Singh
For the Respondent/s : Ms. Usha Kumari 1

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 17-04-2026 1. Heard learned counsel for the appellant and learned
Spl. P.P. for the State, Ms. Usha Kumari No.1.

2. This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for bail vide order dated 18.08.2025 in B.P. No. 2414/2025, passed by the learned Exclusive Special Judge S.C./S.T. Court, Gayajee in connection with Amas P.S. Case No. 295 of 2024 registered for the offences punishable under Sections 115, 126(2), 303(2), 351(2), 352, 191(2), 190, 74 and 324(2) of the BNS, 2023 read with Sections 3(i), (r), 3, (i), (r), (s), 3(2), (va) of the SC/ST Act.



3. Learned counsel for the appellant submits that appellant has antecedent of 18 cases and the informant alleges that on 03.09.2024 at 09:00 AM, she received an information that some accused are trying to grab her ancestral land, accordingly, she reached the place of occurrence along with family members, and saw seven accused persons including the appellant constructing boundary wall on her land, on objection accused abused them by taking caste name and said that the land has been purchased by them, further appellant threatened Sanjay with pistol, while Deepak and Mantu acted inappropriately with her daughter and Sarfaraz teased her sister-in-law and snatched her chain and set ablaze the grass cutting mill on the land.

4. Learned counsel appearing on behalf of the appellant submits that the appellant has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that on account of dispute relating to land, the occurrence is alleged to have taken place. It is next submitted that though there is an allegation that appellant threatened Sanjay with pistol but then the case has not been instituted under the Arms Act. It is also submitted that appellant is in custody since 11.06.2025.



5. Learned Spl. P.P. for the State opposes the appeal, and submits that petitioner has antecedent of 18 cases. It is next submitted that at times, FIR is instituted with exaggerated allegation but then the same cannot become a ground for granting bail. It is next submitted that no doubt appellant is in custody but then if privilege of bail is granted to the appellant, the appellant may abscond as appellant is accused in cases relating to U.A.P.A. Act and C.L.A. Act also.

6. At this stage, learned counsel appearing on behalf of the appellant submits that no doubt the appellant has antecedent of 18 cases but then appellant is on bail in all the cases.

7. After hearing the learned counsel for the parties, the Court is not inclined to release the appellant on bail.

8. Accordingly the appeal of the appellant stands rejected.

9. However, appellant would be at liberty to renew his prayer for bail after framing of charge.

(Satyavrat Verma, J)

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