

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4109 of 2025**

Arising Out of PS. Case No.-265 Year-2025 Thana- PAKARIBARAW District- Nawada

Dinesh Mandal @ Dinesh Kumar S/O Indradeo Mandal Resident of Village-
Lodipur, P.S. Warisaliganj, District- Nawada.

... .. Appellant

Versus

1. The State of Bihar
2. Usha Devi W/O Tulsi Chaudhary R/O Village- Lodipur, P.O- Kesauri, P.S-
Pakribarawan, Distt.- Nawada, Pin code- 805132.

... .. Respondent

Appearance :

For the Appellant/s	:	Mr.Man Mohan Kumar, Advocate
For the Respondent/s	:	Mr.Binay Krishna, S.P.P. Mr. Vishwa Ranjan Choudhary, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 09-02-2026 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State and learned counsel for
the informant.

2. The instant appeal has been filed by the appellant
against the order dated 02.09.2025 passed by learned Exclusive
Special Judge, SC/ST (PoA) Act, Nawada whereby the prayer
for anticipatory bail of the appellant in connection with
Pakribarawan PS Case No. 265 of 2025 instituted under
Sections 115(2), 109, 118(2), 126(2), 351(2), 352 & 3(5) of the
Bharatiya Nyaya Sanhita, 2023 and Sections 3(i)(r) & 3(i)(s) of
SC/ST Act was rejected.

3. The prosecution case, in short, is that on



02.07.2025, informant's minor son Golu Kumar was brutally assaulted with iron rods and lathis by Prahlad Kumar and several co-accused near their house, accompanied by caste based abuses and threats. The injured boy sustained grievous head injuries and, after initial treatment at local hospitals, was referred to Patna where he is undergoing critical treatment.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. From perusal of the FIR, it would reveal that there is no specific allegation against the appellant, rather the same is general and omnibus in nature. Specific allegation of assault is against Prahlad Kumar. Learned counsel for the appellant further submits that the appellant has not taken the caste name of the informant in public view. Hence, no offence under the provisions of SC/ST Act is made out against him. The appellant has no intention to disgrace the image of the informant in public view. The appellant has no criminal antecedent.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances



of the case, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 02.09.2025 passed by learned Exclusive Special Judge, SC/ST (PoA) Act, Nawada, in connection with Pakribarawan PS Case No. 265 of 2025, is hereby set aside.

7. let the Appellant above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pakribarawan PS Case No. 265 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

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