

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4184 of 2025**

Arising Out of PS. Case No.-361 Year-2025 Thana- WAJIRGANJ District- Gaya

Manoj Yadav Son of Tileshwar Yadav Resident of Village - Sudhani, P.S.-
Wazirganj, District - Gaya.

... .. Appellant/s

Versus

1. The State of Bihar
2. Charitar Paswan Son of Late Mungeshwar Paswan Resident of village -
Sudhani, P.S.- Wazirganj, District - Gaya.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Anil Kumar Saxena, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

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

ORAL ORDER

3 22-01-2026 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 26.08.2025 passed by learned Exclusive Special Judge, SC/ST, Gayaji whereby the prayer for bail of the appellant in connection with Wazirganj PS Case No. 361 of 2025 instituted under Sections 191(2), 190, 126, 115, 109, 74, 75, 352 & 351(2) of the Bharatiya Nyaya Sanhita, 2023, Section 27 of the Arms Act and Sections 3(1)(r), 3(1)(s) of SC/ST Act was rejected.

3. Prosecution case, in short, is that the informant alleged that on 06.06.2025, DJ was playing and some women



were dancing near the Devi Asthan, in the meantime, the appellant and co-accused persons along with 10 unknown persons came there and started abusing by calling their caste name and they also stopped the DJ and started assaulting the informant. When the informant's wife came to rescue him, she was also assaulted and caused a head injury. When the informant's sister and the daughter-in-law came to rescue, they were also brutally assaulted by the accused persons.

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. There is no specific allegation against the appellant, rather the allegation against the appellant is general and omnibus. 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 is in custody since 10.06.2025 and has three criminal antecedents. Similar co-accused has been granted bail by a Coordinate Bench of this Court vide order dated 25.09.2025 passed in Cr. Appeal (S.J.) No. 3839 of 2025.



5. Learned Special P.P. for the State has vehemently opposed the prayer for grant of bail to the appellant.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity and the period of custody undergone by the petitioner, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 26.08.2025 passed by learned Exclusive Special Judge, SC/ST, Gayaji is hereby set aside.

7. Let the appellant be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Wazirganj PS Case No. 361 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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