

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4210 of 2025

Arising Out of PS. Case No.-8 Year-2025 Thana- SC/ST District- Bhojpur

Sri Awadh Kishore Prasad Bidyarthi Jee @ Bidyarthi Jee S/o Late Dhruv Narayan Prasad Resident of Village- Nehru Nagar, Shiv Ganj, Police Station- Arrah Nawada, Distt.- Bhojpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Birendra Ram S/o Lal Babu Ram R/o Club Road (BDO Block), Besides of Parvati Chandra Hotel, Orthopaedic Clinic, P.s.- Nawada, Arrah, Distt.- Bhojpur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ashok Kumar Singh, Adv
For the State	:	Mrs. Usha Kumari No.1, Spl. P.P.
For Res. No. 2	:	Ms. Bhawna Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 23-02-2026 Heard learned counsel for the appellant, learned Special Public Prosecutor for the State, and learned counsel Ms. Bhawna Jha, who has suo moto appeared on behalf of the respondent no. 2.

2. This is an appeal under Sections 14(A)(2) against refusal of the prayer for anticipatory bail by order dated 18.07.2025 passed by the learned Court of 1st Additional Sessions Judge cum Special Judge, SC/ST Act, Bhojpur, Ara in connection with SC/ST (K) P.S. Case No. 08 of 2025 registered under Sections 126(2), 115(2), 351(2), 352, 316(2), 318(4), 338, 336(3), 3(5) of BNS and Sections 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes Act.



3. The allegation in the F.I.R. is that the informant, his son and daughter had opened a small savings account in Central Cooperative Bank, Ara and deposited total Rs. 49,30,000/-in 16 months and 05 days through the appellant-Awadh Kishore Prasad @ Vidyarthi Ji, who was agent in the bank and when the informant went to withdraw money from his account, all the accused persons, named in the F.I.R., abused informant by caste name, threatened him to implicate in a false case and also threatened to kill him.

4. Learned counsel for the appellant submits that the appellant has falsely been implicated in the case due to ulterior motive and enmity. The appellant is innocent and has committed no offence. There is no specific allegation against the appellant rather general and omnibus allegation levelled against the appellant. He further submits that the appellant has no criminal antecedent.

5. Learned Special Public Prosecutor for the State has vehemently opposed the prayer for anticipatory bail of the appellant based upon the allegation made in the F.I.R.

6. From the reading of the allegations levelled in the FIR, it does not appear that at the time of alleged occurrence, any public was present. Further, there is no allegation of the



nature of abuse that was allegedly hurdled by the appellant, except that general allegation has been made of hurling abuse on caste lines.

7. Considering all these aspects of the matter and also that co-accused Mr. Sarthak Kumar has already been granted anticipatory bail vide order dated 18.09.2025 passed in Cr. Appeal (SJ) No. 2588 of 2025, let the appellant, above named, in the event of his arrest to surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Additional District and Session Judge-1st-cum-Special Judge, SC/ST Act, Bhojpur, Ara in connection with SC/ST (K) P.S. Case No. 08 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. Accordingly, the impugned order is set aside and this appeal stands allowed.

(Alok Kumar Sinha, J)

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