

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4368 of 2025

Arising Out of PS. Case No.-734 Year-2025 Thana- SIKARPUR District- West Champaran

Dinesh Patel @ Dinesh kumar S/o Jamuna Rout R/o Vill- Khairwa gokhula,
P.S.- Shikarpur, Distt- West Champaran (Bihar)

... .. Appellant/s

Versus

1. The State of Bihar
2. Jayram Ram S/o Sudama Ram R/o Vill- Khairwa, P.S.- Shikarpur, Distt- West Champaran

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Suresh Prasad Sharma, Advocate
For the State	:	Mr.Sadanand Paswan, Spl. PP
For the Informant	:	Mr. Mayank Mohan, Advocate

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 23-02-2026 Heard the learned counsel for the parties.

2. This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the rejection of prayer for bail vide order dated 23.09.2025 passed by the learned District and Addl Session Judge, 1st cum Special Judge, SC/ST, passed in A.B.P. No. 2290 of 2025 in connection with Shikarpur P.S. Case No. 734 of 2025 registered for the offence/s punishable u/ss 126(2), 115(2), 118(1), 352 and 3(5) of the BNS and under Section 3 (i)(r)(s) of the SC/ST (POA) Act.

3. As per the prosecution case, the informant has



alleged that all the FIR named accused were planting paddy in the field and when the informant approached, all the named accused persons, not only abused but also assaulted him by means of *lathi*, *danda* and iron tangi.

4. Learned counsel for the appellant, submits that the appellant has falsely been implicated in this case and no such incident as alleged has occurred and it is only on account of some land dispute, the present false and concocted case has been lodged. It has further been submitted that in fact, prior to the present case, the brother of the appellant had registered a case and in retaliation to the same, the present false FIR was lodged. It has next been submitted that from the perusal of the injury report, which has been brought on record by way of Annexure-P/4, it would be evident that the injury sustained is simple in nature and from plain reading of the FIR, no case under SC/ST Act is made out.

5. Learned counsel for the respondent No. 2 as well as the learned Spl. PP has vehemently opposed the prayer for bail and have submitted that the appellant and others had assaulted the informant brutally causing grievous



injury to the father of the informant. It has also been submitted that they all had abused the informant and others.

6. Considering the aforesaid submissions and facts of the case, the order passed by the learned Trial Court dated 23.09.2025 passed in A.B.P. No. 2290 of 2025 is accordingly set aside. Let the appellant above named be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Shikarpur P.S. Case No. 734 of 2025, subject to the following conditions:

(i) One of the bailors of the appellant shall be his/her close relative and the other shall be the local resident.

(ii) The appellants shall in no manner threaten or try to contact or influence the informant.

(iii) The learned Court below shall verify the criminal antecedent of the appellant and in case at any stage it is found that the appellant has concealed his criminal antecedent, the court below shall take step for cancellation



of bail bond of the appellant. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. The criminal appeal is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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