

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4411 of 2025**

Arising Out of PS. Case No.-576 Year-2025 Thana- JAHANABAD District- Jehanabad

Subhash Kumar Son of Sudarshan Yadav Resident of Village- Kumaru Bigha.
Ps- Sikariya, Dist- Jehanabad

... .. Appellant/s

Versus

1. The State of Bihar
2. Om Prakash Kumar son of Shyamdeo Das Resident of Village- Nidhawan,
Ps- Manikpur, Dist- Arwal

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Arvind Prasad Singh, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

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

ORAL ORDER

4 12-02-2026 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 10.10.2025 passed by learned 1st D.A.S.J.-cum-Special Judge, SC/ST Act, Jehanabad whereby the prayer for bail of the appellant in connection with Jehanabad PS Case No. 576 of 2025 instituted under Sections 126(2), 115(2), 74, 75, 352, 351(3) & 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3(i)(r)(s), 3(1)(w) & 3(2)(va) of SC/ST Act was rejected.

3. The prosecution case, as per the F.I.R., is that on 23.06.2025, the accused persons wrongfully stopped the



informant's motorcycle at Kinari Bazar, assaulted him, attempted to kidnap his maternal sister Khushboo Kumari, abused them by taking caste name, and later fled from the spot. It is further alleged that on 27.06.2025 the accused again came to the village, demanded Rs. 3,00,000/- from Khushboo Kumari's father, and threatened to kill the entire family.

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. Referring to statement of the victim recorded under Section 183 of the BNSS, 2023, it is submitted that victim has not stated anything against the appellant. 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 17.08.2025 and has one criminal antecedent.

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

6. Considering the aforesaid facts and circumstances of the case 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 10.10.2025 passed by learned 1st D.A.S.J.-cum-Special Judge, SC/ST Act, Jehanabad 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 Jehanabad PS Case No. 576 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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