

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4608 of 2025

Arising Out of PS. Case No.-136 Year-2025 Thana- DELHA District- Gaya

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1. Kaushal Kumar S/O Lavward Prasad Resident of mohalla- Kharkhura Tarwana, P.S.-Delha, District-Gaya
 2. Nitin Kumar @ Network @Nitin Kumar Network S/O Jitendra Prasad. Resident of mohalla- Kharkhura Tarwana, P.S.-Delha, District-Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Sonamanti Devi W/O Shrawan Manjhi Resident of Kharkhura Tarwana, P.S.-Delha, District- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Vinod Kumar, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

6 08-05-2026 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellants against the order dated 25.09.2025 passed by learned Special Judge Exclusive, SC/ST (POA) Court, Gaya whereby the prayer for bail of the appellant in connection with Delha P.S. Case No. 136 of 2025 under Sections 126(2), 115(2), 352, 109, 3(5) of B.N.S., Section 25(1-B)a/26/27 of the Arms Act and Sections 3(1)(r), 3(1)(s), 3(2)(v) of SC/ST (POA) Act was rejected.

3. The case of the respondent in short is that on 15.06.2025 at about 08:10 PM, the respondent was sitting near



her house. It is alleged that the appellants along with others accused went there and started firing at the house of the respondent. One shot was fired at the main gate of Munnu Manjhi. It is further alleged that the appellants and others abused with caste name. One accused, namely, Gopal Kumar, has received injuries in the course of running.

4. It is submitted by learned counsel for the appellants that appellants have been falsely implicated in this case. Learned counsel for the appellants submits that from perusal of the case of the respondent, it is clear that the nature of the allegation is general and omnibus. Moreover, nobody has received any injury. He further submits that with the help of well-wishers, good sense has prevailed between the parties and they have filed a compromise petition in the learned trial court. Moreover, the appellants are languishing in judicial custody since 04.07.2025. Learned counsel for the appellants has further submitted that similarly situated other co-accused person has already been granted bail by this Court vide Cr. App(SJ) No. 4066 of 2025.

5. The appeal for bail is opposed by learned Spl. P.P. for the State.

6. Having heard learned counsel for the parties and



taking into consideration that there is no any specific overt act against the appellants, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 25.09.2025 is hereby set aside.

7. The appellants are directed to be enlarged on bail in connection with Delha P.S. Case No. 136 of 2025 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Special Judge Exclusive, SC/ST (POA) Court, Gaya.

(Ashok Kumar Pandey, J)

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