

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4755 of 2025

Arising Out of PS. Case No.-574 Year-2021 Thana- GAYA MUFASIL District- Gaya

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1. Md. Ayaz Akhtar Arzoo @ Ayaz Akhtar Arzoo S/O Late S. Zair Hussain R/O Vill.- Abgila, P.S.- Muffasil, Dist.- Gayaji
 2. Md. Alamgir S/O Md. Mahamud Alam R/O Vill.- Jagdishpur, P.S.- Muffasil, Dist.- Gayaji

... .. Appellant/s

Versus

1. The State Of Bihar
2. Sidyarth Rai Ramm Block Pariyoja Prabandhak, Lock Manpur, Dist.- Gayaji

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Shivendra Prasad, Adv.
For the Respondent/s : Mr.Binay Krishna, Spl.PP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 23-02-2026 Heard learned counsel for the appellants and learned Spl.PP for the State.

2. This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act against the refusal of prayer for anticipatory bail by order dated 30.10.2025, passed by learned Exclusive Special Judge, SC/ST, Gaya, in connection with Muffasil P.S. Case No.574 of 2021, registered u/s 143, 341, 323, 353, 332, 427, 504 and 188 of IPC, Section 3 of the Prevention of Damage to Property Act, section 136 of the Representation of People Act and Section 3(i)(r)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act.



3. As per the prosecution case, all the accused persons came to the Block office for nomination forming a mob and when the police stopped them to enter, they abused the constable Nirmal Chand Paswan by his caste name and damaged the Government properties and also damaged the official papers and made assault.

4. Learned counsel for the appellants submits that the appellants are innocent and have not committed any offence. No such occurrence in the manner as alleged has ever taken place. Appellants have been falsely implicated in the case with frivolous allegation. It is submitted that no offence under the SC/ST Act is made out against the appellants as there is no specific allegation against them to have abused the informant by taking caste name. Appellant no. 1 has no criminal antecedent and appellant no. 2 has two criminal antecedents. Similarly situated several co-accused persons have been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 21.07.2022 passed in Cr. Appeal (SJ) No.1059 of 2022 and order dated 25.01.2023 passed in Cr. Appeal (SJ) No. 790 of 2022.

5. Learned Spl.PP for the State opposes the submission made on behalf of the learned counsel for the



appellants.

6. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that similarly situated co-accused persons have been granted bail, let the appellants above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned Exclusive Special Judge, SC/ST, Gayaji court concerned in connection with ABP No. 278 of 2025 arising out of Muffasil P.S. Case No. 574 of 2021, subject to the condition laid down under Section 482(2) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the appellants.

(ii) The appellants will remain present on each and every date fixed by the court below, if so required by the learned trial court.

7. Accordingly, the impugned order dated 30.10.2025



is set aside and the appeal stands allowed.

(Arun Kumar Jha, J)

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