

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4908 of 2025**

Arising Out of PS. Case No.-103 Year-2025 Thana- INDRAPURI District- Rohtas

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1. Uday Chaurasiya S/o Late Harihar Prasad Chaurasiya R/o Village – Katar, P.S – Indrapuri, District – Rohtas.
 2. Rohit Chaudhari @ Rohit Chaurasia S/o Uday Chaurasiya R/o Village – Katar, P.S – Indrapuri, District – Rohtas.
 3. Jay Chaurasiya @ Jai Chourasia S/o Uday Chaurasiya R/o Village – Katar, P.S – Indrapuri, District – Rohtas.
 4. Jyoti Chaurasiya D/o Uday Chaurasiya R/o Village – Katar, P.S – Indrapuri, District – Rohtas.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Sumitra Devi W/o Santosh Prasad Gond R/o Village - Katar, P.S - Indrapuri, District – Rohtas.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Rajani Kant Singh, Advocate.
For the State	:	Ms. Usha Kumari No.1, Spl.P.P.
For the Res. No.2	:	Mr. Manoj Kumar Sinha, Advocate.

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER**

3 23-02-2026 Heard learned counsel for the appellants, learned Spl. Public Prosecutor appearing on behalf of the State and learned counsel for the Respondent No.2.

2. This appeal has been filed against the order dated 18.11.2025 passed by learned Special Court, Scheduled Caste and Scheduled Tribes (POA), 1989 Act, Rohtas at Sasaram in connection with Indrapuri P.S. Case No.103 of 2025, registered under Sections 126(2), 115(2), 74, 333, 352, 3(5) of the B.N.S. and Sections 3(1)(r)(s)(w) and 3(2)(v-a) of Scheduled Castes



and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for bail of appellant has been rejected.

3. As per the F.I.R., all the appellants entered into the house of informant and started abusing by calling her caste name and assaulted her and her husband due to which they sustained injuries.

4. Learned counsel for the appellants submits that appellants are innocent and have falsely been implicated in the present case due to dirty village politics. He further submits that the alleged occurrence took place on 12.07.2025 but the F.I.R. was lodged on 17.07.2025, as such, there is inordinate delay in lodging the F.I.R. which has not been explained. Learned counsel submits that the recital of F.I.R. does not disclose that any alleged abuse by caste name and assault took place within the public view, as such, no *prima facie* offence under SC/ST Act is made out. He further submits that the injury received by the informant is simple in nature which is caused by hard and blunt object. Appellants have got clean antecedent.

5. Learned Spl. Public Prosecutor for the State and learned counsel for the respondent no.2 oppose the bail application and submit that appellants are named in the First Information Report and there is specific allegation of assault



and abuse against the appellants.

6. Considering the aforesaid facts and circumstances of the case, the rival submissions advanced on behalf of the parties, the nature of allegation against the appellants as well as the fact that they have got clean antecedent, let the appellants, as named above, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Court, Scheduled Caste and Scheduled Tribes (POA), 1989 Act, Rohtas at Sasaram in connection with Indrapuri P.S. Case No.103 of 2025.

7. Accordingly, the impugned order dated 18.11.2025 is set aside and this criminal appeal is allowed.

(Sunil Dutta Mishra, J)

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