

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.5093 of 2025**

Arising Out of PS. Case No.-409 Year-2025 Thana- KAUWAKOL District- Nawada

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Dharmvir Kumar @ Dharmvir Tati @ Dharamvir Tanti @ Dharamvir Kumar  
Son of Nepal Tati @ Nepali Tanti R/o Village - Bhorambag(Malahi), P.S. -  
Kawakol, Dist. - Nawada.

... .. Appellant/s

Versus

1. The State of Bihar
2. Saraswati Devi Wife of Vasudev Manjhi R/o Village - Bhorambag Malahi ,  
P.S. - Kawakol, Dist. - Nawada.

... .. Respondent/s

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**Appearance :**

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

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**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

3      20-04-2026                      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 21.11.2025 passed by learned Exclusive Special Judge, Special Court, SC/ST Act, Nawada whereby the prayer for bail of the appellant in connection with Kawakol P.S. Case no. 409 of 2025 under Sections 115(2), 126(2), 74, 329(3), 109I 351(2), 352 and 3(5) of BNS and Sections 3(1) (r) (s) and 3(2) (va) of SC/ST (POA) Act was rejected.

3. The case of the respondent is that the appellant along with others has abused the respondent with caste name and has threatened her of dire consequences if she will file case



regarding the occurrence of 02.10.2025 which was committed by one Nepali Tanti.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. Learned counsel has submitted that at most the allegation against the appellant is that of threatening and that too is general and omnibus in nature. As far as abusing the respondent with caste name is concerned, no specific words are written in the FIR rather only term that she was abused with caste name. A statement has been made in para-3 of this petition that the appellant has got no criminal antecedent. Moreover, he is languishing in judicial custody since 06.10.2025.

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 appellant, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 21.11.2025 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Kawakol P.S. Case No. 409 of 2025 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only)



with two sureties of the like amount each to the satisfaction of  
the learned Exclusive Special Judge, Special Court, SC/ST Act,  
Nawada.

**(Ashok Kumar Pandey, J)**

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