

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.1419 of 2024**

Arising Out of PS. Case No.-210 Year-2022 Thana- VAISHALI District- Vaishali

Chandrabhushan Sahni @ Bhushan Sahni @ Chandra Bhushan Sahni S/o  
Late Parikshan Sahni @ Parikshan Sahani R/o vill - Afzalpur, P.s. - Vaishali  
(Belsar O.P.), Distt. - Vaishali

... .. Appellant/s

Versus

1. The State of Bihar
2. Bechan Paswan S/o Late Devan Paswan R/o vill - Afjalpur, P.S. - Vaishali,  
Distt. - Vaishali

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr. Sagar Kumar, Adv.  
For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

5      19-07-2024                      Heard learned counsel for the appellant, learned  
Special Public Prosecutor for the State and learned counsel for  
respondent no.2.

2. The present appeal has been preferred under section  
14-A(2) of the Scheduled Castes and Scheduled Tribes  
(Prevention of Atrocities) Act, 1989 against the refusal of prayer  
of bail *vide* order dated 29.02.2024 in connection with Vaishali  
(Belsar O.P.) P.S. Case No.210 of 2022 dated 10.06.2022 lodged  
under sections 147, 148, 149, 341, 323, 302, 385, 354, 504, 506  
of the Indian Penal Code read with sections 3(1)(r), 3(1)(s), 3(1)  
(w), 3(2)(va) of the SC/ST Act.

3. As per the prosecution case, FIR has been lodged



against 14 named accused persons including the present appellant. The informant has disclosed that marriage of his daughter was solemnized with Rakesh Sahani and it has been alleged in the Fardbayan that family of Rakesh Sahani was not happy with the said marriage and all members used to abuse the informant's daughter by taking her caste name. It has been alleged that one month back, they all assaulted her and the family of Rakesh Sahani in connivance with each other had killed the daughter of the informant on 10.06.2022.

4. Learned counsel for the appellant submits that both the informant's family and appellant's family belongs to the same village. Counsel submits that it is true that the alleged marriage was inter caste marriage, but it is not a case of murder, rather, a case of suicide. Counsel further submits that the present appellant has been made accused in this case only due to the reason that he is the relative of Rakesh Sahani and for revenge, his name has been inserted. Counsel submits that there is absolutely no specific allegation, rather there is general and omnibus allegation against all accused persons. Counsel also submits that the criminal antecedent of the appellant is clean and he is in custody since 29.02.2024.

5. Learned counsel for the appellant further submits



that on similar allegation, series of other accused persons have been granted bail by this Court which is annexed as Annexure-2.

6. Learned Special Public Prosecutor for the State as well as learned counsel for the respondent no.2 vehemently opposes the prayer for bail and submits that there is direct allegation of killing informant's daughter in this case.

7. In the present facts and circumstances of this case and the submissions made above, **let the appellant above named be granted bail, but only after framing of charge, if not framed** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST Act, Vaishali at Hajipur in connection with Vaishali (Belsar O.P.) P.S. Case No.210 of 2022.

8. Accordingly, the impugned order dated 29.02.2024 is hereby set aside and the present appeal stands allowed.

**(Dr. Anshuman, J)**

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