

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.3722 of 2024**

Arising Out of PS. Case No.-110 Year-2024 Thana- KHAJAULI District- Madhubani

Ramdeo Yadav Son of Late Akshya Yadav @ Achhe Lal Yadav Resident of  
Village - Sukki, P.S. - Khajauli, District - Madhubani

... .. Appellant/s

Versus

1. The State of Bihar
2. Jibachh Saday Son of Late Chhotkan Saday Resident of Village - Sukki, P.S.  
- Khajauli, District - Madhubani

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr. Ravi Prakash, Advocate  
For the Respondent/s : Mr. Sadanand Paswan, SPP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

4      05-12-2024              Heard learned counsel for the appellant, learned Special Public Prosecutor for the State. Notice issued is validly served despite which no one turned on the informant's behalf. Perused the case diary.

2.      The instant appeal has been filed by the appellant against the order dated 03-07-2024 passed by 1<sup>st</sup> Additional Judge-cum-Special Judge SC/ST Act, Madhubani, whereby the prayer for bail of the appellant in connection with Khajauli P.S. Case No. 110 of 2024 instituted under Sections 302, 201 & 34 of the IPC and Sections 3(2)(v) of SC/ST Act was rejected.

3.      Prosecution case, in short, is that on 30-05-2024, father of the informant slept outside the house and in the



morning he was found dead, hanging on a rod of pillar.

4 Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. It is submitted that there is no eye witness to the occurrence. Postmortem report reveals cause of death is asphyxia due to hanging. It is submitted that father of the informant has committed suicide due to family dispute as is evident from the postmortem report. Charge-sheet has been submitted in this case under Sections 341, 323, 306, 498, 504, 506 & 34 of the IPC and Sections 3(1)(r)(s), 3(2)(v)(va) of the SC/ST Act. Learned counsel for the appellant further submits that the appellant has not taken the caste name of the informant in public view. Hence, no offence under the provisions of SC/ST Act is made out against him. The appellant has no intention to disgrace the image of the informant in public view. The appellant is in custody since 01-06-2024 and has no criminal antecedent.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the appellant. It is submitted that allegation against the appellant is serious in nature.

6. Considering the aforesaid facts and circumstances



of the case, there being no cogent material against the appellant even in the case diary and the period of custody undergone by the appellant, this Court is inclined to allow this appeal. Accordingly, the appeal is ***allowed*** and order dated 03-07-2024 passed by 1<sup>st</sup> Additional Judge-cum-Special Judge SC/ST Act, Madhubani is hereby set aside.

7. Let the appellant be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Khajauli P.S. Case No. 110 of 2024.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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