

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.231 of 2025**

Arising Out of PS. Case No.-235 Year-2023 Thana- GAYA MUFASIL District- Gaya

Lalinder Yadav @ Lalinder Kumar @ Ravinder Yadav @ Ravinder Kumar
Son of Haribansh Yadav @ Umesh Yadav Resident of village-kaiya police
station- Muffasil District -Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Rajeshwar Das son of Prabhu Das village- Kaiya, Ps- Muffasil, Dist- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Braj Nandan Kumar Tiwary, Advocate
For the Respondent/s	:	Mr. Binay Krishna, SPP
For the Informant	:	None

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

ORAL ORDER

4 01-05-2025 Heard learned counsel for the appellant, learned Special Public Prosecutor for the State. None appears on behalf of the informant despite being informed by the learned Special PP.

2. The instant appeal has been filed by the appellant against the order dated 03.12.2024 passed by learned Exclusive Special Judge, SC/ST Act, Gaya whereby the prayer for bail of the appellant in connection with Muffasil P.S. Case No. 235 of 2023 under Sections 341, 323, 307, 354, 504, 34 of the IPC and Sections 3(i)(r)(s) of SC/ST Act was rejected.

3. The prosecution case, in short, is that all the accused persons including the appellant assaulted the informant and his



family members and also abused them by taking their caste name.

4. Learned counsel for the appellant submits that the appellant has falsely been implicated in the present case. 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. Learned counsel further submitted that this appellant assaulted the informant's father on his head. Learned counsel further submitted that the injuries sustained by the informant's father is grievous in nature. The appellant has no intention to disgrace the image of the informant in public view. The appellant is in custody since 20.11.2024 and has no criminal antecedent.

5. Learned Special P.P. for the State vehemently opposed the prayer for grant of bail to the appellant.

6. Considering the aforesaid facts and circumstances of the case 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 03.12.2024 passed by learned Exclusive Special Judge, SC/ST Act, Gaya in connection with Muffasil P.S. Case No. 235 of 2023 is hereby



set aside.

7. Let the appellant, abovenamed, 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 Muffasil P.S. Case No. 235 of 2023.

8. The appeal stands allowed.

(Rudra Prakash Mishra, J)

Alok Verma/-

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