

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.190 of 2025

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

Karan Kumar S/o- Kishori Yadav Resident of village- kaiya Police station-
Muffasil District- Gaya

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Rajeshwar Das S/o- Prabhu Das Resident of village- kaiya Police station-
Muffasil District- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Braj Nandan Kumar Tiwary
For the Respondent/s	:	Mr.Binay Krishna
For the informant	:	Mr. Ranjeet Kr. Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 19-06-2025 Heard learned counsel for the appellant, learned
counsel for the informant and learned Special Public Prosecutor
for the State.

2. This is an appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter in short referred to as the SC/ST Act) against the refusal of prayer of bail *vide* order dated 12.12.2024 passed by the learned Exclusive Special Judge, SC/ST Act, Gaya in B.P. No. 4033/2024 arising out of Muffasil P.S. Case No. 235/2023 dated 23.02.2023 registered for the offence/s punishable u/s 341, 323, 307, 354 and 504 read with Section 34 of the Indian Penal Code and Sections 3(1)(r)(s) of



the SC/ST Act.

3. As per the prosecution case, the appellant and the co-accused persons are alleged to have assaulted the informant and his family members and also abused them by taking their caste name.

4. Learned counsel for the appellant has submitted that the appellant has falsely been implicated in this case due to ulterior motive. As per FIR, no member of public was present at the relevant point of time of the incident. Learned counsel has further submitted that no particular caste name has been called by the appellant hence no case is made out under SC/ST Act. The other co-accused person has already been granted bail by the co-ordinate Bench of this court *vide* order dated 01.05.2025 passed in Cr. Appeal (S.J). No. 231/2025. The specific allegation of assaulting on the head of the informant's father is against the co-accused, Lalinder Yadav. The appellant has one criminal antecedent as stated at para 3 of the bail petition. The appellant is in custody since 06.12.2024.

5. Learned Spl. P.P. for the State as well as learned counsel for the informant have vehemently opposed the prayer of bail.

6. In view of the aforesaid facts and circumstances of



the case as well as finding substance in the contention of the learned counsel for the appellant, the impugned order dated 12.12.2024 passed by the learned Exclusive Special Judge, SC/ST Act, Gaya in B.P. No. 4033/2024 arising out of Muffasil P.S. Case No. 235/2023 is set aside against the appellant. The criminal appeal is allowed.

7. Accordingly, the above named appellant, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, SC/ST Act, Gaya in B.P. No. 4033/2024 arising out of Muffasil P.S. Case No. 235/2023.

(Chandra Prakash Singh, J)

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