

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.520 of 2025

Arising Out of PS. Case No.-227 Year-2024 Thana- MANER District- Patna

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Vishal @ Ranga Billa @ Vishal Kumar S/o- Rangnath Ray Village- Tata
Colony Madhopur Ps- Maner Dist- Patna

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Uday Kumar

For the Respondent/s : Mr.Usha Kumari 1

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

5 26-06-2025 Heard learned counsel for the appellant and learned

Special Public Prosecutor for the State, however none appeared
on behalf of the Respondent No. 2 despite the notice has validly
been served.

2. This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 against the rejection of prayer for bail vide
order dated 16.12.2024 passed by the learned Exclusive Special
Judge, SC/ST (POA) Act, Patna in Special Case No. 463 of
2024 arising out of Maner P.S. Case No. 227 of 2024 dated
04.04.2024 registered for the offence/s punishable u/ss 341, 323,
307, 504, 506 read with section 34 of the Indian Penal Code and
sections 3(i)(r)(s) of the SC/ST (POA) Act.



3. As per the prosecution case, it is alleged that “Grih Pravesh” function was taking place at the informant’s house, in the meantime, the appellant and the co-accused persons armed with iron rod, lathi and danda came there and started abusing and assaulting the informant and his family by calling their caste name and they also assaulted the complainant’s son, Vikash Kumar on his head with iron rod causing injury.

4. Learned counsel for the appellant has submitted that the appellant has falsely been implicated in this case due to ulterior motive. Learned counsel has further submitted that the caste name was not disclosed by anyone at the time of the alleged occurrence. As per FIR, no member of public was present at the relevant point of time of the alleged incident hence no case is made out under SC/ST Act. There is general and omnibus allegation against the appellant. It is further submitted that the injured Saurav Kumar received simple injury, the injured Shyam Babu Razak received 1cmx 1cm abrasion on occipital side of scalp and the injured Vikash Kumar Razak received lacerated wound on right parietal region measuring 5cmx 2cmx 1cm and the final opinion is kept reserved. The appellant has no criminal antecedent as stated in para 3 of the bail petition. The appellant is in custody since 09.10.2024.



5. Learned counsel for the respondent no. 2 as well as learned Spl. P.P. for the State has vehemently opposed the bail petition of the appellant.

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 16.12.2024 passed by the learned Exclusive Special Judge, SC/ST (POA) Act, Patna in Special Case No. 463 of 2024 arising out of Maner P.S. Case No. 227 of 2024, 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 (POA) Act, Patna in Special Case No. 463 of 2024 arising out of Maner P.S. Case No. 227 of 2024.

(Chandra Prakash Singh, J)

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