

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.637 of 2025

Arising Out of PS. Case No.-20 Year-2024 Thana- SHEKHPURA COMPLAINT CASE
District- Sheikhpura

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Ajay Ram @ Shibu Ram @ Shiv Kumar Ram Son of Late Madan Ram
Resident of village -Gangra, PS- Gidhaur, District- Jamui

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Ranjit Kumar Son of Mohan Ram Resident of Village- Mahadev Nagar, P.S.-
Sheikhpura, Distt.- Sheikhpura

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Sheo Nandan Prasad, Adv. Mr. Rajnish Kumar, Adv. Ms. Sweta Kumari, Adv.
For the Respondent/s	:	Mr. Bipin Kumar, Adv. Mr. Sarita Kumari, Adv.
For the State	:	Mr.Binay Krishna, Spl.PP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

5 19-06-2025 Heard learned counsel for the appellant, learned

counsel for the respondent no. 2 and learned Spl. P.P. for the

State.

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 of bail of

the appellant vide order dated 25.01.2025 passed by the learned

Ist Additional District and Sessions Judge-cum-Special Judge,

SC/ST Act, Sheikhpura in connection with B.P. No. 41 of 2025

arising out of complaint SC/ST Case No. 20 of 2024 dated



05.02.2024 registered for the alleged offences punishable under Sections 323, 341, 504, 120B, 419, 420, 468, 471, 406 of the Indian Penal Code and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes Act.

3. As per the prosecution case, the allegation against the appellant is that he along with the co-accused persons cheated the complainant by offering a job and did not return the money and also abused the informant with his caste name.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in this case. There is no specific allegation against the appellant rather the allegation against the appellant is general and omnibus. It is further submitted that no member of public was present at the relevant point of time of the incident and hence, no offence under provisions of SC/ST Act is made out against the appellant. The appellant has no concern with the alleged offence. It is further submitted that no evidence has been produced regarding the money transaction by the complainant. The appellant is in custody since 08.01.2025. The appellant has two criminal antecedent as stated in para 3 of the bail petition.

5. Learned Special Public Prosecutor for the State and learned counsel for the respondent no. 2 have opposed the



prayer for bail of the appellant and submitted that the appellant is an habitual offender and is in habit of committing forgery and cheating.

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 25.01.2025 passed by the learned Ist Additional District and Sessions Judge-cum-Special Judge, SC/ST Act, Sheikhpura in connection with B.P. No. 41 of 2025 arising out of complaint SC/ST Case No. 20 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 Ist Additional District and Sessions Judge-cum-Special Judge, SC/ST Act, Sheikhpura in connection with SC/ST Case No. 20 of 2024 with the condition :-

(i) The appellant is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the appellant is liable to be cancelled.



(ii) If the appellant is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bonds.

(Chandra Prakash Singh, J)

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