

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.712 of 2025

Arising Out of PS. Case No.-1713 Year-2022 Thana- NAWADA District- Nawada

Ramdev Yadav @ Ramdev Prasad Son of Late Badri Yadav Resident of Village- Mangar Bigha, Police Station- Town, Thana and District- Nawada (Bihar)

... .. Appellant/s

Versus

1. The State of Bihar
2. Gaytri Devi Wife of Rajesh Rajvanshi Resident of Budhoul Beldariya, P.S.- Nawada (Town), Distt.- Nawada (Bihar)

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Awadhesh Kumar, Advocate
For the Respondent/s	:	Mrs. Usha Kumari I, SPP
For the Informant	:	Mr. Sanjeev Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 17-04-2025 Heard learned counsel for the appellant, learned Special Public Prosecutor for the State and learned counsel for the informant. Perused the case diary.

2. The instant appeal has been filed by the appellant against the order dated 01.02.2025 passed by learned Exclusive Special Judge, SC/ST Court, Nawada whereby the prayer for bail of the appellant in connection with Town (Nagar) P.S. Case No. 1713 of 2022 under Sections 147, 323, 324, 307, 341, 504, 506, 308, 379, 354, 420, 467, 468 of the IPC and Section 3(1)(x) (xi) of SC/ST Act was rejected.

3. The prosecution case, in short, is that



complainant/informant lodged the complaint alleging therein that in July, 2019 when the informant and her family member came back, they saw that their field was ploughed by the appellant and other accused persons. It is further alleged that when her family requested them, the accused persons hurled them caste slurs and also assaulted them.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. Learned counsel further submitted that appellant is being dragged in this case merely on the basis of previous land dispute and there is no iota of truth in the alleged occurrence. Learned counsel further submitted that no injury has been caused to any person in the alleged occurrence. Learned counsel further submitted that on perusal of the complaint, it appears that specific allegation is against Rohit Yadav and Akhilesh Yadav and not against this appellant. 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 aged about 70 years and is suffering from old age ailments and is in custody since



24.12.2024 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.

6. Considering the aforesaid facts and circumstances of the case, there being no cogent material in the case diary and the period of custody undergone by the appellant as also taking into account the old age of the appellant, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 01.02.2025 passed by learned Exclusive Special Judge, SC/ST Court, Nawada in connection with Town (Nagar) P.S. Case No. 1713 of 2022 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 Town (Nagar) P.S. Case No. 1713 of 2022, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the appellant.

(II) The appellant shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the



bail bonds of the appellant.

(III) If the appellant tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

8. The appeal stands allowed.

(Rudra Prakash Mishra, J)

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