

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.741 of 2025

Arising Out of PS. Case No.-342 Year-2021 Thana- FATEHPUR District- Gaya

Chalitar Paswan @ Ram Charitra Paswan Son of Late Kailash Paswan
Resident of Village- Raghunathpur, P.s.- Fatehpur, Distt.- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Vikash Kumar Son of Late Suresh Paswan Resident of Village-
Raghunathpur, P.s.- Fatehpur, Distt.- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Sanjay Kumar Sharma
For the Respondent/s	:	Mr.Sadanand Paswan Mr.Bachan Ji Ojha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-04-2025 Heard learned counsel for the appellant, learned
Special P.P. for of the State and learned counsel appearing on
behalf of respondent no. 2.

2. This appeal has been filed against the order dated
24.01.2025 passed by learned Special Judge, SC/ST Act, Gaya
in connection with Fatehpur P.S. Case No. 342 of 2021,
registered under Sections 302/34 of the Indian Penal Code and
Section 3(2)(v) of Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act (for short “SC/ST Act”) and
section 27 of the Arms Act, whereby the prayer for bail of
appellant has been rejected.

3. As per F.I.R., on 5.10.2021 at about 4:30 PM, while



informant and his father were returning home on a motorcycle, all the F.I.R. named accused persons including appellant intercepted them and thereafter, assaulted them. This appellant is alleged that he alongwith co-accused Satyendra Yadav caught father of informant and took him to the paddy field, where alleged maarpeet took place.

4. Learned counsel for the appellant submits that from perusal of F.I.R. itself, specific allegation of assault is against other co-accused persons. So far as this appellant is concerned, there is no allegation of assault against him. Appellant himself belongs to SC category and as such, no case under the SC/ST Act is made out against him. Some of the co-accused have been granted bail, vide Annexure 3 series. The appellant is in custody since 10.01.2025.

5. Learned Spl. Public Prosecutor for the State and learned counsel for respondent no. 2 opposed the appeal.

6. However, considering the aforesaid facts and circumstances as well as period of custody and clean antecedent, the impugned order dated 24.01.2025 is, hereby, set aside and this criminal appeal is allowed.

7. Let the appellant, as named above, be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with



two sureties of the like amount each to the satisfaction of
learned Special Judge, SC/ST Act, Gaya in connection with
Fatehpur P.S. Case No. 342 of 2021.

(Prabhat Kumar Singh, J)

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