

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.744 of 2025

Arising Out of PS. Case No.-692 Year-2024 Thana- BUXAR District- Buxar

Raja @ Imamudin S/o Md. Nasir Rain R/o vill - Musafirganj/ Gajadharganj,
P.s.- Buxar (T), Distt.- Buxar

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Dayanand Ram S/o Suryanath Ram R/o vill - Chakani, P.s.- Simari, Distt.- Buxar, Presently R/o vill - Shivpuri, P.s. - Buxar Town, Distt.- Buxar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Sunil Kumar, Adv.
For the informant	:	Mr. Arun Kumar Gupta, Adv.
For the State	:	Mr.Sadanand Paswan, Spl.PP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 03-07-2025 Heard learned counsel for the appellant, learned counsel for the informant 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 for bail of the appellant vide order dated 23.01.2025 passed by the learned Additional District & Sessions Judge-I-cum-Special Judge (SC/ST Act), Buxar in connection with SC/ST Case No. 06 of 2025 arising out of Buxar(T) P.S. Case No. 692 of 2024 dated 18.12.2024 registered for the alleged offences punishable under Sections 140(3) of the B.N.S. and Sections 3(1)(x) of the Scheduled Castes and Scheduled Tribes Act.



3. As per prosecution case, the informant's wife namely Pinki Devi was working as nurse since last seven years in Arohi Health Care Center. It is further alleged that on 12.12.2024, the appellant is alleged to have abducted the informant's wife. The appellant abused the informant by calling his caste name and also threatened him which was recorded in the mobile phone of the informant's family. It is further alleged that the informant's wife took away Rs. 60,000/- in cash and ornaments worth Rs. 1.5 lakh and her mobile phone was also switched off. The informant is working at Bharuch Gujarat and when he was informed by his mother then he came in Buxar and informed police.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in this case. The victim is a major and she went to Jamania with the appellant where she was residing with him. There was love affair between the victim and the petitioner. 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. Learned counsel has further submitted that the victim has been recovered and as per the impugned order, the statement of the



victim recorded u/s 183 of the B.N.S.S. which reveals that there are some differences between the victim and her husband who is the informant of this case. It is further submitted that the appellant has no concern with the alleged offence. The charge-sheet has been submitted against the appellant. The appellant has no criminal antecedent as stated in para 3 of the bail petition. The appellant is in custody since 19.12.2024.

5. Learned Special Public Prosecutor for the State as well as learned counsel for the respondent no. 2 have opposed the prayer for bail 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 23.01.2025 passed by the learned Additional District & Sessions Judge-I-cum-Special Judge (SC/ST Act), Buxar in connection with SC/ST Case No. 06 of 2025 arising out of Buxar(T) P.S. Case No. 692 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 Additional



District & Sessions Judge-I-cum-Special Judge (SC/ST Act),
Buxar in connection with SC/ST Case No. 06 of 2025 arising
out of Buxar(T) P.S. Case No. 692 of 2024.

(Chandra Prakash Singh, J)

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