

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.926 of 2025

Arising Out of PS. Case No.-225 Year-2024 Thana- TARAPUR District- Munger

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Santosh Kumar Son of Ramashish Mahto Resident of Village- Kali Asthan,
Malahi, P.S.- Barh, District- Patna

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Simpall Kumari Daughter of Pappu Rajak Resident of Village - Purani Bazar
Dhobi Tola, P.S. - Tarapur, District - Munger

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Raju Kumar Singh, Adv.
For the Respondent/s : Mr.Binay Krishna, Spl.PP

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

ORAL ORDER

4 19-06-2025 Heard learned counsel for the appellant and learned

Spl. P.P. for the State. However, learned counsel for the respondent
no. 2 is not present despite notice is validly served upon the
respondent no. 2.

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 29.01.2025 passed by the learned Special Judge
(SC/ST Act), Munger in connection with Tarapur P.S. Case No.
225 of 2024 dated 20.08.2024 registered for the alleged offences
punishable under Sections 126(2), 115(2), 109, 118(1) of the
B.N.S. and Sections 3(1)(r), 3(1)(s), 3(2)(v), 3(2)(va) and 3(1)(w)
(i) of the Scheduled Castes and Scheduled Tribes (Prevention of



Atrocities) Act.

3. As per prosecution case, on 20.08.2024 at 07.30 P.M., when the informant was on her terrace, the appellant came there and held her hand. The appellant told her that he wanted to marry her and when she refused the same then the appellant took out a knife from his bag. Thereafter, the informant started crying and her family members started gathering there, the appellant attacked her with a knife due to which she sustained injuries in her body and she became unconscious. While fleeing away from the spot, the appellant also attacked the informant's father with a knife. It is further alleged that the appellant was working in Deoshop Company along with the informant and used to trouble her for marriage and stated that if she would not marry him, she would be killed.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in this case. There was love affair between the informant and the appellant. It is further submitted that there is no allegation of abusing against the appellant and hence, no offence under provisions of SC/ST Act is made out against the appellant. As per the injury report of the victim, the injuries are simple in nature. It is further submitted that the appellant has no concern with the alleged offence. The appellant has no criminal antecedent as stated in para 3 of the bail



petition. The appellant is in custody since 21.08.2024.

5. Learned Special Public Prosecutor for the State has 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 29.01.2025 passed by the learned Special Judge (SC/ST Act), Munger in connection with Tarapur P.S. Case No. 225 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 Special Judge (SC/ST Act), Munger in connection with Tarapur P.S. Case No. 225 of 2024.

(Chandra Prakash Singh, J)

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