

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1004 of 2025

Arising Out of PS. Case No.-243 Year-2024 Thana- KARPI District- Jehanabad

Anuj Yadav @ Ramanuj Singh @ Ramanuj Yadav Son of Late Ram Deni
Yadav Resident of Village- Gaddopur,P.S.- Karpi, Distt.- Arwal

... .. Appellant/s

Versus

1. The State of Bihar
2. Kapi Kumar Son of Late Mantu Ram Resident of Village- Gaddopur,P.S.-
Karpi, Distt.- Arwal

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Mukesh Kumar, Advocate
For the Respondent/s	:	Ms. Usha Kumari 1, SPP
For the Informant	:	Mr. Amaresh Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 26-06-2025 Heard learned counsel for the appellant, learned Special

Public Prosecutor for the State and learned counsel for the

informant.

2. The instant appeal has been filed by the appellant

against the order dated 17-02-2025 passed by learned Additional

District and Sessions Judge-I, Jehanabad whereby the prayer for

bail of the appellant in connection with Karpi PS Case No. 243

of 2024 under Sections 105 & 3(5) of the Bharatiya Nyaya

Sanhita, 2023 and Sections 3(1)(r)(s) & 3(2)(v) of SC/ST Act

was rejected.

3. The prosecution case in a nutshell is that the

informant's father came in contact with a naked electric wire



laid by the appellant and others for irrigation during June/July 2024, resulting in his death. Earlier, when community members had requested removal of the wire, the accused allegedly abused them using caste-related slurs.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the appellant submits that no case under Section 105 of the BNS is made out against the appellant, as there was no intention of the appellant to kill the deceased. 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 in custody since 25-01-2025 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 petitioner. It is contended that postmortem report corroborates the allegation levelled in the FIR.

6. Considering the aforesaid facts and circumstances of the case, there being no intention on the part of the appellant,



which is evident from the materials on record and the period of custody undergone by the appellant, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 17-02-2025 passed by Additional District and Sessions Judge-I, Jehanabad is hereby set aside.

7. Let the appellant 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 Karpi PS Case No. 243 of 2024, 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.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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