

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1005 of 2025

Arising Out of PS. Case No.-124 Year-2024 Thana- MANSAHI District- Katihar

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1. Gopal Singh S/o Prayag Singh R/o Pinda, PS- Mansahi, Distt- Katihar
 2. Sanjit Kumar Singh @ Sanjit Kumar S/o Gopal Singh R/o Pinda, PS- Mansahi, Distt- Katihar

... .. Appellant/s

Versus

1. The State of Bihar
2. Mahendra Kumar Uraon S/o Late Chaudhary Uraon R/o Pinda, PS- Mansahi, Distt- Katihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sanjeev Kumar Singh, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 07-08-2025 Heard learned counsel for the appellants, learned Special Public Prosecutor for the State and learned counsel for the informant.

2. The instant appeal has been filed by the appellants against the order dated 29-01-2025 passed by learned Additional Sessions Judge-I-cum-Special Judge, SC/ST, Children Court, Katihar whereby the prayer for bail of the appellants in connection with Mansahi PS Case No. 124 of 2024 under Sections 126(2), 115(2), 324(4), 109, 118(1), 118(2), 103, 191(2), 191(3), 352, 351(2) & 351(3) of the Bharatiya Nyaya Sanhita, 2023, Section 27 of the Arms Act and Sections 3(1)(r)



(s) & 3(2)(va) of SC/ST Act was rejected.

3. Prosecution case, in short, is that the informant was attacked while ploughing bataidari land when Govind Singh abused and shot Baijnath Uraon, causing his death, while Gautam Singh fired with both hands, injuring Jabna Uraon. They also called 20-25 armed criminals who fired 60-70 rounds, forcing the informant and others to flee. Govind and Gautam further set fire to tractors after the attack.

4. Learned counsel for the appellants submits that the appellants are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. There is no specific allegation against the appellants, rather the same is against co-accused, namely, Govind Singh and Gautam. The allegation against the appellants is general and omnibus in nature. At best, appellants were the member of the mob. Learned counsel for the appellants further submits that the appellants have 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 them. The appellants have no intention to disgrace the image of the informant in public view. The appellants are in custody since 02-12-2024 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 appellants. Bail of co-accused having specific allegation have been rejected by this Court vide order dated 10-07-2025, passed in Cr. Appeal (SJ) No. 1438 of 2025 & Cr. Appeal (SJ) No. 1591 of 2025.

6. Considering the aforesaid facts and circumstances of the case, there being no direct allegation against the appellants and the period of custody undergone by the petitioner, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 29-01-2025 passed by Additional Sessions Judge-I-cum-Special Judge, SC/ST, Children Court, Katihar is hereby set aside.

7. Let the appellants be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mansahi PS Case No. 124 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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