

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1281 of 2025

Arising Out of PS. Case No.-31 Year-2025 Thana- MASAUDHI District- Patna

Raj Kumar @ Raja Kumar @ Raja Yadav S/O Birendra Prasad @ Balindra Prasad Resident of Village- Nauabagh, P.S.- Masaurhi, District- Patna.

... .. Appellant/s

Versus

1. The State of Bihar
2. Vikash Paswan S/O Late Bajarangi Paswan R/O Village- Sarenghat, P.S- Tehata, Distt.- Jehanabad.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ajay Kumar Sinha, Advocate
For the State	:	Mr. Binay Krishna, Spl.P.P.
For the Informant	:	Mr. Sanjay Kumar Ojha, Advocate
		Mr. Ved Prakash Chandan, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 05-06-2025 Heard learned counsel for the appellant, learned Special Public Prosecutor for the State and learned counsel for the informant.

2. The appellant seeks regular bail in connection with Serial No. 15 of 2025 arising out of Masaurhi P.S. Case No. 31 of 2025, lodged on 10.01.2025, under Sections 191(2), 190, 126(2), 115(2), 109(1), 132, 352 & 351(2) of the BNS, 2023 and under Sections 3(1)(r)(s)/3(2)(va)/3(2)(v) of SC/ST Act.

3. The present appeal has been filed for setting aside the order dated 03.03.2025 passed by Exclusive Special Judge, SC/ST Act, Civil Court, Sadar Patna passed in Serial No. 15 of 2025 arising out of Masaurhi P.S. Case No. 31 of 2025.



4. As per the prosecution, the appellant assaulted the Court Staff who was working in Masaurhi Court, when he was returning to his duty and was present at the railway station, due to which he had to be admitted to the hospital. The cause of the dispute has also been stated that he sat on the Judge's chair and, upon being instructed not to sit there, he subsequently attacked the informant in retaliation.

5. Learned counsel for the appellant submits that on the previous occasion, the case diary had been called for, and the injury is mentioned therein, though the injuries are simple in nature. Counsel further submits that the appellant has been in custody since 27.01.2025, and he surrendered suo motu in this case. It is also submitted that such a mistake shall not take place in the future.

6. Learned counsel for the informant vehemently opposes the prayer for bail and submits that the criminal antecedents of the appellant are not clean, as six criminal cases are pending against him, out of which three are under Section 302 of the Indian Penal Code. Counsel further submits that such an accused does not deserve to be granted bail, especially when three cases under Section 302 are under trial against him, and particularly because the appellant has no respect for the Court



and the Court Staff.

7. Learned Special Public Prosecutor opposes the prayer for bail and submits that, as per the case diary, when the bodyguard of the Court of the A.D.J. asked the appellant to refrain from such behavior, he did not stop misbehaving, and stopped only when the ASI intervened with his force. Counsel also submits that the appellant abused the Court Staff as well.

8. Considering the present facts and circumstances including the fact that the appellant is accused in six other criminal cases, three of which are lodged under Section 302 of the Indian Penal Code and in view of his extremely inappropriate behavior towards the Court and the Court Staff, this Court is not inclined to grant bail to the appellant. Accordingly, the bail application of the appellant is hereby rejected.

(Dr. Anshuman, J.)

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