

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1372 of 2025**

Arising Out of PS. Case No.-782 Year-2023 Thana- MADHAURAH District- Saran

Raju Ram @ Raju Kumar Ram Son of Yogendra Ram Village- Etwa Mahesia
PS- Derni District -Saran

... .. Appellant/s

Versus

1. The State of Bihar bihar
2. Rishi Muni Devi wife of Tribhuwan Manjhi village- Baidapur, Vardahiya,
ps- Madhaura, Dist- Saran

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Krishna Kumar Yadav, Adv.
For the Respondent	:	Ms. Shweta, Adv. Mr. Pranjal Kumar, Adv. Mr. Shubham Raj, Adv.
For the State	:	Ms.Usha Kumari 1, Spl.PP

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

ORAL ORDER

2 17-04-2025 Heard learned counsel for the appellant, learned
counsel for the respondent no. 2 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 22.01.2025 passed by the learned
Exclusive Special Judge (SC/ST Act), Saran, Chapra in
connection with Madhaura P.S. Case No. 782 of 2023 dated
16.12.2023 registered for the alleged offences punishable under
Sections 302, 201 read with Section 34 of the Indian Penal Code



and Sections 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. As per prosecution case, the deceased and the co-accused, Ajay Rai cooked fish and ate together and just next day, the deceased was found dead in the field. It is also alleged that 3-4 days ago, the appellant had threatened the deceased to kill him.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in this case. The name of the appellant has surfaced in this case merely on suspicion. There is no eye witness to the alleged occurrence. Learned counsel has further submitted that only allegation against the petitioner is of threatening to kill the deceased. 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. 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 22.01.2025.

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 and submitted that the anticipatory bail of the appellant was earlier rejected by a Coordinate Bench of this court vide order dated 21.09.2024



passed in Cr. Misc. No. 33289/2024.

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 22.01.2025 passed by the dated 22.01.2025 passed by the learned Exclusive Special Judge (SC/ST Act), Saran, Chapra in connection with Madhaura P.S. Case No. 782 of 2023, 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 Exclusive Special Judge (SC/ST Act), Saran, Chapra in connection with Madhaura P.S. Case No. 782 of 2023 with the condition :-

(i) The appellant is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

(Chandra Prakash Singh, J)

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