

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1512 of 2025

Arising Out of PS. Case No.-126 Year-2024 Thana- PUNPUN District- Patna

Bandhan Ram @ Ravi Kumar S/o Late Pradip Ram R/o Village- Dularpur,
P.S.- Punpun, Distt.- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Malo Devi W/o Late Rajnandan Das R/o Village- Dularpur, P.S.- Punpun,
Distt.- Patna

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Deovind Kumar Singh, Advocate
For the Respondent/s	:	Ms. Usha Kumari 1, SPP
For the Informant	:	Mr. Shyama Kant Singh, Advocate Mr. Rajendra Prasad, Advocate

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

ORAL ORDER

4 24-07-2025 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 12-03-2025 passed by learned Exclusive
Special Judge, SC/ST Act, Patna whereby the prayer for bail of
the appellant in connection with Special Case No. 468 of 2024,
arising out of Punpun PS Case No. 126 of 2024 under Sections
302 & 34 of the Indian Penal Code (for short 'IPC'), Section 27
of the Arms Act and Section 3(2)(v) of SC/ST Act was rejected.

3. The prosecution case is based on the *fardebayan* of



Malo Devi, who alleged that on 24-04-2024, during a dance program at a reception party hosted by Vikash Kumar, indiscriminate firing took place. Her husband, who had attended the event, sustained a gunshot injury on the head and later his dead body was left at his doorstep. It is alleged that Vikash Kumar, his brother, the appellant, and others were involved in the firing and fled away from the scene.

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 from the FIR itself, it would manifest that husband of the informant sustained injury in '*harsh firing*' and there was no intention to kill hence, no case is made out under Sections 302 & 34 of the IPC. Allegation against the appellant is concocted, as he along with his brothers were engaged in receiving guest near the door and they were not present near the stage of dance programme. There is no direct allegation against the appellant. 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 17-10-2024 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 petitioner.

6. Considering the aforesaid facts and circumstances of the case 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 12-03-2025 passed by learned Exclusive Special Judge, SC/ST Act, Patna is hereby set aside.

7. Let the appellant be released on bail, ***after framing of charge, if not already framed***, 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 Special Case No. 468 of 2024, arising out of Punpun PS Case No. 126 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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