

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.1717 of 2025**

Arising Out of PS. Case No.-22 Year-2025 Thana- Mabby District- Darbhanga

Rahul Kumar Sah Son of Ramhriday Sah village- Jagir, Ps- Saur Bazar, Dist- Saharsa

... .. Appellant/s

Versus

1. The State of Bihar bihar
2. Dheeraj Kumar Ram son of Jagdeo Ram Resident of Simara, Po- Lalshahpur, Ps- Mabbi, Dist- Darbhanga

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr.Satish Kumar Singh, Adv.

For the Respondent/s : Mr.Sadanand Paswan, Spl.PP

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

ORAL ORDER

5      04-09-2025                      Heard learned counsel for the appellant 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 28.03.2025 passed by the learned Exclusive Special Judge (SC/ST Act), Darbhanga in connection with SC/ST BP No. 15/2025 arising out of Mabbi P.S. Case No. 22 of 2025 dated 01.03.2025 registered for the alleged offences punishable under Sections 103(1), 318(4), 303(2), 61(2) read with Section 3(5) of the B.N.S. and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of



Atrocities) Act and Section 66(c) of the Information Technology Act.

3. Earlier the appellant was granted provisional bail vide order dated 15.05.2025 and further, learned counsel for the appellant seeks confirmation of the provisional bail granted to the appellant.

4. As per prosecution case, the informant lodged a sanha bearing no. 313/25 regarding the missing of his brother. Thereafter, he came to know that a suspicious injured person with amputated hands and legs who was undergoing treatment at D.M.C.H. and was later identified as his brother. It is further alleged that the informant got a call from mobile no. 8207381698 and 9817870885 from a fake person namely Raman Singh who demanded Rs. 50,000/- from him for providing information about his brother and also after which he will get to communicate with him. The appellant made suspicion that the appellant along with the other co-accused person killed his brother under conspiracy. It is further alleged that when the informant's brother demanded dues of his salary then the appellant abused him by calling his caste name and assaulted his brother and threatened him.

5. Learned counsel for the appellant submits that the



appellant is innocent and has falsely been implicated in this case. It is further submitted that no member of public was present at the relevant point of time of the incident and hence, no offence under provisions of SC/ST Act is made out against the appellant. As per annexure- P/2 filed on behalf of the appellant, it is submitted that the so-called deceased (informant's brother) was found alive which was also published in the Dainik Jagran Newspaper on 18.04.2025. 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 12.03.2025.

6. Learned Special Public Prosecutor for the State has opposed the prayer for bail of the appellant.

7. Considering the aforesaid facts, the provisional bail granted to the appellant vide order dated 15.05.2025 is hereby confirmed in connection with SC/ST BP No. 15/2025 arising out of Mabbi P.S. Case No. 22 of 2025, to the satisfaction of learned Court concerned, Darbhanga.

8. The application stands allowed.

**(Chandra Prakash Singh, J)**

Gautam/-

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