

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1795 of 2025

Arising Out of PS. Case No.-279 Year-2024 Thana- KHAJAU LI District- Madhubani

Vikash Kumar Singh @ vikash Singh son of Umesh Singh Village- Laskariya,
Ps- jaynagar, Dist- Madhubani

... .. Appellant/s

Versus

1. The State of Bihar
2. Mahendra Prasad Das son of Late Subodh Das Village- Maina, Ward no. 14,
ps- Khajauli, Dist- Madhubani

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Manoj Kumar Pandey, Advocate
		Ms. Kumari Pallavi, Advocate
For the Respondent/s	:	Ms. Usha Kumari 1, Spl PP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 25-09-2025 Heard learned counsel for the appellant and learned
counsel for the informant as well as learned Special Public
Prosecutor 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 (hereinafter in short referred to as the
SC/ST Act) against the refusal of prayer of bail vide order dated
18.02.2025 passed in by the Court of learned ADJ 1st Cum
Special Judge SC/ST Act, Madhubani in connection with G.R.
No. 193 of 2024 arising out of Khajauli P.S. Case No. 279 of
2024 Dated 04.12.2024 registered for the offence/s punishable
u/ss 126(2), 103(1), 61(2) read with Section 3(5) of B.N.S and
27 of the Arms Act and Sections 3(2)(va), 3(2)(v) of SC/ST



Act.

3. As per prosecution case, the informant was at the door of his house, in the meantime, the co-accused, along with the two other persons arrived near the community hall situated near his house and started committing physical violence (maarpit) with his co-villagers and they were also holding weapons and then villagers chased them and snatched weapons but all the three accused persons succeed to flee. After some time again the co-accused, along with his other two associates in a planned manner arrived near the Smudayik Bhawan where the informant's grandson aged about 12 years was standing, in the meantime, the co-accused, Dharendra Kumar Singh made fire on his grandson as a result of which his grandson sustained bullet injury in his head and thereafter they fled away. The informant brought his grandson to the hospital where the doctor declared him dead.

4. Learned counsel for the appellant has submitted that the appellant has falsely been implicated in this case due to ulterior motive. There is no specific allegation against the appellant rather the specific allegation is against the co-accused Dharendra Kumar Singh. There is general and omnibus allegation against the appellant. Nothing has been recovered



from the conscious possession of the appellant. The appellant has no concern with the alleged offence. The appellant has six criminal antecedents as stated at para 3 of the bail petition. The appellant is in custody in this case since 06.02.2025.

5. Learned Spl.P.P. for the State as well as learned counsel for the informant have vehemently opposed the prayer of bail.

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 18.02.2025 passed by the Court of learned ADJ 1st Cum Special Judge SC/ST Act, Madhubani in connection with G.R. No. 193 of 2024 arising out of Khajauli P.S. Case No. 279 of 2024 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 ADJ 1st Cum Special Judge SC/ST Act, Madhubani in connection with G.R. No. 193 of 2024 arising out of Khajauli P.S. Case No. 279 of 2024, with a 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 bonds of the appellant are liable to be cancelled.

(Chandra Prakash Singh, J)

Raj Ranjan/-

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