

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1837 of 2025

Arising Out of PS. Case No.-161 Year-2024 Thana- SALIMPUR District- Patna

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Rakesh Kumar S/o Ram Dhani Rai @ Ramdhani Rai @ RAmadhin Rai R/o
Village- Saidpur, P.S.- Salimpur, District- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Rani Devi W/o Binod Rajak R/o Village- Narauli, P.S.- Salimpur, District- Patna

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Kaushal Kishor, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, SPP
For the Informant	:	NONE

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

5 18-11-2025 Heard learned counsel for the appellant, learned Special Public Prosecutor for the State and perused the case diary. None appears for the informant.

2. The instant appeal has been filed by the appellant against the order dated 21.12.2024 passed by Learned Exclusive Special Judge SC/ST Act, Civil Court (Sadar), Patna whereby the prayer for bail of the appellant in connection with Salimpur P.S. Case No. 161 of 2024 under Sections 302, 307, 323, 324, 341, 504, 506/34 of the Indian Penal Code, read with Sections 3(i)(r)(s) and 3(2)(va) of SC/ST Act was rejected.

3. Prosecution case, in short, is that, the appellant along with other co-accused person brutally assaulted informant's



husband and two other villagers due to which husband of the informant died on the spot and others were seriously injured.

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. The specific allegation of assault by means of iron rod is upon the head of the informant's husband is allegedly upon the appellant. Cognizance of the alleged offence has been taken on 30.08.2024. 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 27.05.2024 and has got no criminal antecedent. Co-accused has been granted bail by this Court vide order dated 15.05.2025 passed in Cr. Appeal (S.J.) No. 40 of 2025.

5. Learned Special P.P. for the State has vehemently opposed the prayer for grant of bail to the appellant. Learned counsel for the appellant submits that there is direct and specific allegation made against the appellant of brutally assaulting the informant's husband. Postmortem report suggests that cause of death is due to hemorrhage and shock and due to head injury.



6. Considering the aforesaid facts and circumstances of the case, there being direct allegation against the appellant, hence, this Court is not inclined to allow the appeal. Appeal is accordingly *dismissed*.

7. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

8. However, appellant will be at liberty to renew his prayer for bail if the trial is not concluded within a period of nine months from today.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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