

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1865 of 2025

Arising Out of PS. Case No.-63 Year-2025 Thana- THAKURGANJ District- Kishanganj

Pradeep Sharma @ Pradeep Kumar Sharma Son of Shatrughan Sharma@Shatrughan Sharma Resident of Block Road, Thakurganj, PS- Thakurganj, District- Kishanganj. At Presently residing At Village Farabadi, Ward No.2, PS- Thakurganj, District-Kishanganj.

... .. Appellant/s

Versus

1. The State of Bihar
2. Punam Kumari Wife of Shambhu Lal Rai Resident of New Colony, Ward No.4, P.S.- Thakurganj, District- Kishanganj

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ashok Kumar Garg, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 15-07-2025 Heard Mr. Ashok Kumar Garg, learned counsel for the appellant as well as Mr. Sadanand Paswan, learned Spl.P.P. for the State.

2. This is an appeal under Sections 14(A)(2) against refusal of the prayer for anticipatory bail by order dated 22.04.2025 passed by the learned Court of Additional Sessions Judge 1st cum Special Judge, Kishanganj in connection with Thakurganj P.S. Case No. 63 of 2025, F.I.R. dated 02.04.2025 registered under Sections 308(3), 79, 352, 3(5) of the Bharatiya Nyaya Sanhita and Sections 3(1) (r) (s), 3(2) (va) of the Scheduled Castes and Scheduled Tribes Act.

3. According to the prosecution case, the appellant claims innocence and alleges false implication by Respondent No. 2 due to political rivalry. He states that as a journalist, he



exposed substandard road construction in Ward No. 4 by Respondent No. 2.

4. Learned counsel for the appellant submits that appellant is innocent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the appellant has not committed any offence, as alleged in the F.I.R. In fact, the appellant is press reporter in Dastak News as well as in Jan Jagran Sandesh and when the appellant asked about the concerned road from the respondent No.2/informant, it has come to the knowledge of the appellant that the concerned road was not up-to mark and when he asked the informant/respondent No.2 to construct the road, as per the requirement, but she did not listen to the appellant and filed the present false case against the appellant and in fact, the appellant has not abused the informant by her caste name. Apart from that, the date of occurrence, as alleged in the F.I.R. is 26.03.2025 but the present F.I.R. had been instituted on 02.04.2025, after delay of six days, without giving any explanation of delay. The informant has filed the present case only to harass the appellant.

5. Learned Special Public Prosecutor for the State as well as learned counsel for the respondent No.2 have vehemently opposed the prayer for bail of the appellant and submits that



appellant carries one criminal antecedent other than the present one but fairly submits that he is on bail in the said case and apart from that the appellant has also demanded ransom from the respondent No.2/informant and he has also abused the informant by his caste name.

6. After hearing the parties, in my view for the purpose of this anticipatory bail, no offence under the provisions of Scheduled Castes and Scheduled Tribes Act is made out.

7. Considering the aforesaid facts and circumstances, the appellant is a reporter in Dastak News as well as in Jan Jagran Sandesh and no material has come during investigation against the appellant to suggest the involvement of the appellant in the present case, let the appellant, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Additional Sessions Judge 1st cum Special Judge, Kishanganj in connection with Thakurganj P.S. Case No. 63 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita, 2023 and with other following conditions:-



i. Appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the appellant tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the appellant and in case at any stage it is found that the appellant has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the appellant. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. Accordingly, the impugned order is set aside and this appeal stands allowed.

(Rajesh Kumar Verma, J)

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