

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2014 of 2025**

Arising Out of PS. Case No.-86 Year-2025 Thana- MAKER District- Saran

Rajbali Mahato @ Rajbali Mahato Rajbali S/O Late Sudarshan Mahato R/O
Village- Kagichak, P.S- Maker, Distt.- Saran at Chapra.

... .. Appellant/s

Versus

1. The State of Bihar
2. Surendra Manjhi S/O Parma Manjhi R/O Village- Kagichak, P.S- Maker,
Distt.- Saran at Chapra.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Dhananjay Kumar Tiwary, Adv.
For the Respondent/s	:	Mr. Sadanand Paswan, SPP
For the Resp. No.2	:	Mr. Jitendra Kumar, Adv.

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

ORAL ORDER

4 21-08-2025 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State and learned counsel for
the informant. Perused the case diary.

2. The instant appeal has been filed by the appellant
against the order dated 03.05.2025 passed by learned Exclusive
Special Judge, SC/ST, Chapra, Saran whereby the prayer for
bail of the appellant in connection with Maker P.S. Case No. 86
of 2025 under Sections Sections 115(2), 126(2), 303(2), 351(2),
118(1), 352, 3(5) of the Bhartiya Nyaya Sanhita, 2023 and
Sections 3(i)(r)(s) of SC/ST (POA) Act, was rejected.

3. As per prosecution case, the accusation against the
accused persons including the appellant is of assaulting the



Informant and his family members by means of *lathi*, *danda* and sword.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case due to dirty village politics. Learned counsel for the appellant submits that though there is specific allegation against the appellant is of assaulting the Informant by means of sword but, from perusal of the injury report, it appears that the injury is simple in nature. There was a free fight between the parties. There is a case and counter case between the parties. The wife of the appellant has also lodged F.I.R. bearing Maker P.S. Case No. 87 of 2025 against the informant and others. Charge-sheet has been submitted in this case. 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 22.04.2025 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 appellant, stating that the offence alleged is serious in nature.



6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the appellant, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 03.05.2025 passed by learned Exclusive Special Judge, SC/ST, Chapra, Saran is hereby set aside.

7. Let the appellant, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Maker P.S. Case No. 86 of 2025.

(Rudra Prakash Mishra, J)

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