

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2279 of 2025

Arising Out of PS. Case No.-142 Year-2024 Thana- DHARHARA District- Munger

Chhotu Kumar S/o Laxman Ram @ Laxman Singh Resident of Village and
PO- Mangarh, PS- Dharhara, District- Munger

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Jura Devi @ Jirva Devi W/o Buddhu Manjhi Resident of Village and PO-
Kaswa Dharhara, Ward No. 1, Mushahri Tola, PS- Dharhara, District-
Munger

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Binay Kumar
For the Respondent/s	:	Mr.Binay Krishna

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

ORAL ORDER

4 27-11-2025 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

3. 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 01.05.2025 passed by the learned Special Judge (SC/ST Act), Munger in connection with Dharhara P.S. Case No. 142 of 2024 dated 07.06.2024 registered for the offence/s punishable u/ss 147, 448, 341, 323, 354, 504 and 506 of the Indian Penal Code and Sections 3(1)(r)(s)(w), 3(2) (va) of SC/ST Act.

4. As per the prosecution case, the petitioner along



with other co-accused persons entered the house of the informant and started teasing and abusing the informant and her daughter-in-law and they have also assaulted the son of the informant.

5. Learned counsel for the appellant has submitted that the appellant is innocent and has falsely been implicated in this case. It is further submitted that there is general and omnibus allegation against the appellant and no specific allegation against the appellant. It is further submitted that the injury sustained by the injured is simple in nature. As per FIR, the incident took place inside the house and no member of public was present at the relevant point of time of the alleged incident hence no case is made out under SC/ST Act. The appellant has no criminal antecedent as stated in para-3 of the bail petition. The appellant is in custody since 31.03.2025. Similarly situated co-accused has already been granted regular bail by this court vide order dated 20.02.2025 passed in Cr. Appeal (SJ) No. 4200 of 2024.

6. Learned counsel learned Spl. P.P. for the State has vehemently opposed the prayer for bail of the appellant.

7. 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 01.05.2025 passed by the learned Special Judge (SC/ST Act), Munger in connection with Dharhara P.S. Case No. 142 of 2024, is set aside against the appellant. The criminal appeal is allowed.

8. 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 Special Judge (SC/ST Act), Munger in connection with Dharhara P.S. Case No. 142 of 2024.

(Chandra Prakash Singh, J)

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