

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2260 of 2025**

Arising Out of PS. Case No.-107 Year-2025 Thana- LALGANJ District- Vaishali

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Pappu Ray Son of Ganesh Ray R/o Vill-Sararia,P.O-Khanjachak,P.S-
LalganjDistt.- Vaishali

... .. Appellant/s

Versus

1. The State of Bihar
2. Rambha Devi Wife of Late Manoj Paswan R/o Vill- Sararia, P.S - Lalganj,
Distt.- Vaishali

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Arvind Kumar Sinha, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

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

ORAL ORDER

3 07-08-2025 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State and learned counsel for
the informant.

2. The instant appeal has been filed by the appellant
against the order dated 06.05.2025 passed by learned I/c
Exclusive Special Judge, SC/ST Act-cum-District and
Additional Sessions Judge, Vaishali at Hajipur whereby the
prayer for bail of the appellant in connection with Lalganj P.S.
Case No. 107 of 2025 under Sections 69, 126, 115(2), 303(2),
352, 351(3) of the Bharatiya Nyaya Sanhita, 2023 and Sections
3(i)(r)(s)(w)(i), 3(2)(v)(va) of SC/ST Act was rejected.

3. Allegation against the appellant is of establishing



physical relationship with the informant on the pretext of marriage.

4. Learned counsel for the appellant submits that the appellant has falsely been implicated in the present case. Learned counsel further submitted that there is a delay of one month in lodging the FIR without any plausible explanation, which in itself, raises doubt over the prosecution story. Learned counsel further submitted that appellant never established physical relationship with the victim, who is major, against her will and never promised to marry her. Learned counsel for the appellant further submitted 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. Charge-sheet has been submitted in this case. The appellant is in custody since 11.03.2025 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.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the



appellant, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 06.05.2025 passed by learned I/c Exclusive Special Judge, SC/ST Act-cum-District and Additional Sessions Judge, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 107 of 2025 is hereby set aside.

7. Let the appellant, abovenamed, be released on bail, *after framing of charge, if not already framed*, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Lalganj P.S. Case No. 107 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the appellant.

(II) The appellant shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the appellant.

(Rudra Prakash Mishra, J)

Alok Verma/-

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