

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2317 of 2025**

Arising Out of PS. Case No.-9 Year-2025 Thana- SC/ST District- Munger

Dheeraj Kumar S/O Late Rajendra Sah Resident Of Sikanderpur P.S.- East
Colony, Jamalpur, District- Munger

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Radha Devi W/O Manoj Kumar Paswan Resident Of Vill.- Khalashi
Mohalla, P.S.- Jamalpur, District- Munger

... .. Respondent/s

Appearance :

For the Appellant	:	Mr. Sheo Nandan Prasad, Advocate Mr. Rajnish Kumar, Advocate Mrs. Sweta Barnwal, Advocate
For the Respondent	:	Mr. Binay Krishna, Sp.P.P
For the Informant	:	Mr. Kumar Kamal Nayan, Advocate

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

ORAL ORDER

4 18-09-2025 Heard learned counsel for the appellant, learned
counsel for the informant and learned Special Public Prosecutor
for the State.

2. This is an appeal under Section 14A(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
28.05.2025 passed by the learned District and Additional
Sessions Judge 1st Cum- Special Judge, SC/ST Act, Munger in
connection with SC/ST P.S. Case No. 09/2025 dated 28.02.2025
registered for the offence/s punishable u/s 319(2), 318(4),
316(2), 352, 351(2) read with 3(5) of the B.N.S. and Sections
3(1)(i), 3(1)(r), 3(1)(s) and 3(2)(va) of the SC/ST Act.



3. As per the prosecution case, the appellant and the co-accused persons are alleged to have cheated the informant and her family members by giving them assurance of doubling Rs. 13,02,000/- within a period of three years. When the informant asked Jitendra Kumar Rajiv to return the money, he assured the informant that he will return their money after two months but later he denied. Further, they tortured the informant mentally and abused her by calling her caste name.

4. Learned counsel for the appellant has submitted that the appellant has falsely been implicated in this case due to ulterior motive. As per FIR, no member of public was present at the relevant point of time of the incident. Learned counsel has further submitted that no particular caste name has been called by the appellant hence no case is made out under SC/ST Act. The petitioner has no concern with the alleged occurrence. Learned counsel has submitted that the appellant was working as a software engineer and he has never taken any money from the public. The appellant has one criminal antecedent as stated at para 3 of the bail petition. The appellant is in custody since 09.05.2025.

5. Learned Spl. P.P. for the State as well as learned counsel for the informant have vehemently opposed the prayer of bail.

6. 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 28.05.2025 passed by the learned District and Additional Sessions Judge 1st Cum- Special Judge, SC/ST Act, Munger in connection with SC/ST P.S. Case No. 09/2025 is set aside against the appellant. The criminal appeal is allowed.

7. 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 District and Additional Sessions Judge 1st Cum- Special Judge, SC/ST Act, Munger in connection with SC/ST P.S. Case No. 09/2025, with further condition:-

(i). The appellant is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the appellant are liable to be cancelled.

(ii). The appellant is directed to co-operate in the trial in the learned court concerned failing which, the prosecution will be at liberty to move for cancellation of his bail bonds.

(Chandra Prakash Singh, J)

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