

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2959 of 2023

Arising Out of PS. Case No.-340 Year-2022 Thana- BIKRAM District- Patna

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KAMLESH KUMAR son of Late Binod Pandey Village- Masaurha Telpa Ps-
Bikram Dist- Patna

... .. Appellant/s

Versus

- 1 . The State of Bihar
2. Rupa Rani Gaur wife of Ajay Kumar R/o- Danapur Cantt Patna P/A- Niyojit
Teacher Rajkiya Buniyadi School Nisarpura Ps- Bikram Dist- patna

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Jitendra Prasad Singh, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan , APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 04-09-2025 Heard learned counsel for the appellant, the

State . Despite valid service of notice , nobody appears on
behalf of respondent No. 2.

2. This appeal has been filed for setting aside order
dated 22.11.2023 passed in a case registered for the offence
punishable under sections 341/323/354, 504 and 34 of I.P.C. and
U/s. 3 (i)(r)(s) (Va) of SC/ST Act, whereby prayer for bail of the
appellant has been rejected.

3 . As per the prosecution case , informant namely ,



Rupa Rani Gond alleged that when informant and other teachers asked for the order book , then all the F.I.R. named accused persons including this appellant started abusing by caste name and thrashed them. It is further alleged that accused persons, earlier also, used to harass and misbehave with the informant and other teachers.

4. It is submitted that appellant and informant are posted as teacher in the same school and there was dispute between them with respect to performance of duties and on the date of occurrence , informant and others assaulted Head Mistress which was objected by this appellant and other teacher and for the same , Head Mistress of the school lodged case vide Bikram PS Case No. 339 of 2022 on 30.07.2022 against informant and in retaliation , this false and concocted case has been lodged against appellant and others. It is not the case of the informant that any member of the public was present at the place of the incident and as such, no offence under the SC/ST Act is made out against the appellant. Appellant claims clean antecedent.

5 . Learned special Public Prosecutor for the State opposed the bail appeal.

6. Considering the aforesaid facts, this appeal is



allowed and the impugned order is set aside. Let the appellant, named above, in the event of arrest/surrender within a period of eight weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned special Judge SC / ST Patna in connection with Bikram Police Station Case No. 340 of 2022 .

(Prabhat Kumar Singh, J)

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