

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2407 of 2025

Arising Out of PS. Case No.-79 Year-2025 Thana- BAIKUNTHPUR District- Gopalganj

Kunal Ray @ Kunal Kumar son of Ramayan Ray Resident of village
-Baharampur PS -Baikunthpur District -Gopalganj

... .. Appellant/s

Versus

1. The State of Bihar
2. Mukesh Kumar At Present Posted as P.S.I. of Baikunthpur Ps, Ps-
Baikunthpur, Dist- Gopalganj bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Dhramveer, Advocate
For the Respondent/s	:	Ms. Usha Kumari 1, Spl PP

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

ORAL ORDER

3 25-09-2025 Heard learned counsel for the appellant and learned
counsel for the informant as well as learned Special Public
Prosecutor for the State.

2. 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 21.05.2025 passed by the Court of learned District and
Additional Sessions Judge-XI-Cum-Spl Judge, SC/ST,
Gopalganj in connection with Baikunthpur P.S. Case No. 79
of 2025 Dated 01.03.2025 registered for the offence/s



punishable u/ss 191(2), 191(3), 190, 126(2), 115(2), 109(1), 121, 121(2), 262, 263 324(4), 352, 351(3) of the B.N.S. and Section 3(1), 3(1)(r) 3(1)(s) of the SC/ST Act.

3. As per the prosecution case, all the FIR accused persons alongwith 15-20 unknown miscreants are alleged to have caused hindrance in the discharge of official duty of the police personnel.

4. Learned counsel for the appellant has submitted that the appellant has falsely been implicated in this case due to ulterior motive. It is submitted that there is general and omnibus allegation against all the accused persons for pelting brick and stone on the raiding party. It is next submitted that there is no specific allegation against the appellant rather there is specific allegation of abuse and scuffle against the co-accused Shyamdeo Rai and Chhotelal Rai and further they had tried to snatch the official pistol from the waist of the police official. It is further submitted that the appellant is not a family member of the main accused Shyamdeo Rai and Chhote Lal Rai, appellant is the cousin of these accused persons. The appellant has no concern with the alleged offence. The appellant has three criminal antecedent as stated in para 3 of the bail petition. The appellant is in custody in



this case since 28.04.2025.

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 21.05.2025 passed by the Court of learned learned District and Additional Sessions Judge-XI-Cum-Spl Judge, SC/ST, Gopalganj in connection with Baikunthpur P.S. Case No. 79 of 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 learned District and Additional Sessions Judge,XI-Cum-Spl Judge, SC/ST, Gopalganj in connection with Baikunthpur P.S. Case No. 79 of 2025, with a 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.

(Chandra Prakash Singh, J)

Raj Ranjan/-

U		T	
---	--	---	--

