

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2519 of 2025

Arising Out of PS. Case No.-163 Year-2025 Thana- RAJPUR District- Buxar

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1. Vinod Rajbhar S/o Late Vakil Rajbhar Resident of Village- Souri, PS- Rajpur, District- Buxar
 2. Sanjay Rajbhar @ Sanjay Rai S/o Vinod Rajbhar Resident of Village- Souri, PS- Rajpur, District- Buxar
 3. Dhananjay Rajbhar @ Dhananjay Kumar S/o Vinod Rajbhar Resident of Village- Souri, PS- Rajpur, District- Buxar

... .. Appellant/s

Versus

1. The State of Bihar
2. Irfan Nat S/o Mangal Nat Resident of Village- Souri, PS- Rajpur, District- Buxar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Dr. Kamal Deo Sharma, Advocate
For the Respondent/s	:	Mr. Binay Krishna, SPP
For the Informant	:	Mr. Manoj Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 04-09-2025 Heard learned counsel for the appellants, learned Special Public Prosecutor for the State, learned counsel for the informant/Respondent No. 2 and perused the case diary.

2. The instant appeal has been filed by the appellants against the order dated 09.06.2025 passed by learned District and Additional Sessions Judge-1-cum-special Judge, SC/ST (P.O.A.) Act, Buxar whereby the prayer for bail of the appellants in connection with Rajpur P.S. Case No. 163 of 2025 under Sections 126(2), 115(2), 109, 49, 352, 351(2), 351(3), 3(5) of



the Bharatiya Nyaya Sanhita, 2023, read with Sections 3(1)(r)(s) and 3(2)(va) of SC/ST (P.O.A.) Act was rejected.

3. Prosecution case, in short, is that the appellants along with other co-accused persons have assaulted and abused the informant by means of *lathi*, using caste based slurs due to which he sustained injuries.

4. Learned counsel for the appellants submits that the appellants are innocent and has falsely been implicated in the present case. Learned counsel for the appellants also submits that the appellants have not committed any offence as alleged in the FIR. The allegation levelled against the appellants is not specific rather the same is general and omnibus in nature. It is next submitted that as per injury report, the injury sustained by the informant is simple in nature. Learned counsel for the appellants further submits that the appellants have 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 them. The appellants have no intention to disgrace the image of the informant in public view. The appellants are in custody since 14.05.2025 and have got 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



appellants.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the appellants, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 09.06.2025 passed by learned District and Additional Sessions Judge-1-cum-special Judge, SC/ST (P.O.A.) Act, Buxar is hereby set aside.

7. Let the appellants be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rajpur P.S. Case No. 163 of 2025.

(Rudra Prakash Mishra, J)

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