

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2617 of 2025

Arising Out of PS. Case No.-164 Year-2024 Thana- KHUSRUPUR District- Patna

Vikash Kumar S/o- Arjun Rai R/Vill- Bhagwanpur, P.S.- Bachhwara, Distt-
Begusarai

... .. Appellant/s

Versus

1. The State of Bihar
2. Pintu Singh S/o- Kapil Singh Village- Dudhni Tola Vankatpur Ps- Khusrupur
Dist- Patna

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Subodh Prasad, Advocate
For the Respondent/s : Mrs. Usha Kumari 1, SPP

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

ORAL ORDER

4 16-10-2025 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State and perused the case
diary.

2. The instant appeal has been filed by the appellant
against the order dated 05.05.2025 passed by learned Exclusive
Special Judge S.C/S.T Act Civil Court (Sadar), Patna whereby
the prayer for bail of the appellant in connection with Khusrupur
P.S. Case No. 164 of 2024 under Sections 364, 302, 201, 411,
379, 120(B) of the Indian Penal Code and Sections 3(1)(r)/3(2)
(v) of SC/ST Act was rejected.

3. Prosecution case, in short, is that on 25.04.2024, a
truck bearing registration no. BR-01-GA5978 loaded with white
steel sheet left for Rohit Agency Bhagalpur from BMW M/S,



thereafter informant came to know that on 27.04.2024 the truck has not yet reached at destination and mobile number of said truck driver was also switched off.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the appellant also submits that the appellant is not named in the FIR. Name of the appellant has transpired in this case on the basis of C.D.R. and Tower location. It is next submitted that the appellant is driver of the transport agency and has sold the stolen goods to co-accused, namely, Bablu Kumar. Learned counsel for the appellant further submits 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. The appellant is in custody since 02.07.2024 and has got one criminal antecedent in which he is on bail. Other co-accused has been granted bail by this Court vide order dated 28.01.2025 passed in Cr. Appeal (S.J.) No. 4237 of 2024.

5. Learned Special P.P. for the State has vehemently opposed the prayer for grant of bail to the appellant.



6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the appellant, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 05.05.2025 passed by learned Exclusive Special Judge S.C/S.T Act Civil Court (Sadar), Patna is hereby set aside.

7. Let the appellant be released on bail 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 Khusrupur P.S. Case No. 164 of 2024.

(Rudra Prakash Mishra, J)

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