

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2590 of 2025

Arising Out of PS. Case No.-88 Year-2022 Thana- CHARPOKHARI District- Bhojpur

Hareram Singh S/o Shankar Singh @ Pankaj Singh R/o Village- Thakuri, P.S-
Charpokhari, Distt.- Bhojpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Saroj Kumar S/o Baijnath Prasad R/o vill - Kashmariya, P.S.- Charpokhari,
Distt.- Bhojpur

... .. Respondent/s

Appearance :

For the Appellant	:	Mr. Rahul Kumar, Adv.
For the State	:	Mrs. Usha Kumari 1, Spl.P.P.
For Respondent – 2	:	None

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-11-2025 Heard learned counsel for the appellant and learned
Special P.P. for of the State. Despite valid service of notice,
nobody appears on behalf of respondent no. 2.

2. This appeal has been filed against the order dated
06.05.2025 passed by learned 1st A.D.J.-cum-Special Judge,
SC/ST Act, Bhojpur at Ara in connection with SC/ST Case No.
31 of 2024, arising out of Charpokhari P.S. Case No. 88 of
2022, registered under Sections 147, 148, 149, 302, 504 of the
Indian Penal Code, Section 27 of the Arms Act and Sections
3(1)(r)(s), 3(2)(va) of the Scheduled Castes and Scheduled
Tribes (Prevention of Atrocities) Act (for short “SC/ST Act”),
whereby the prayer for bail of appellant has been rejected.



3. As per F.I.R., on 09.05.2022, the informant along with his brother (deceased) and father were irrigating their field, in the meantime, all the accused persons came and started abusing them and on protest, they started indiscriminate firing, as a result of which, brother and father of informant sustained bullet injuries and in course of treatment, brother of informant died.

4. Learned counsel for the appellant submits that as per F.I.R. itself, appellant is not assailant of the deceased. Specific allegation is against Aditya Raj Singh @ Mithun Singh and Pintu Singh, who caused injury to father and brother of informant. Similarly situated co-accused persons have already been granted bail by coordinate Bench of this Court, vide orders annexed at Annexure P/9 series. It is not the case of informant that at the time of alleged occurrence any public was present and as such, no case under the SC/ST Act is made out against this appellant. The appellant has got clean antecedent and is in custody since 03.01.2025.

5. Learned Spl. Public Prosecutor for the State opposes the appeal.

6. However, considering the aforesaid facts and circumstances as well as period of custody and clean antecedent,



the impugned order dated 06.05.2025 is, hereby, set aside and this criminal appeal is allowed.

7. Let the appellant, as named above, be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st A.D.J.-cum-Special Judge, SC/ST Act, Bhojpur at Ara in connection with SC/ST Case No. 31 of 2024.

(Prabhat Kumar Singh, J)

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