

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2657 of 2025

Arising Out of PS. Case No.-137 Year-2025 Thana- ARARIA District- Araria

Chandra Shekhar Kumar Singh @ Vishal Kumar Singh S/O Upendra Prasad Singh R/O Vill.- Om Nagar Ward no. 8, Araria, P.S. and Dist.- Araria.

... .. Appellant/s

Versus

1. The State of Bihar
2. Sanjay Kumar Paswan S/O Mahesh Lal Paswan R/O Vill.- Rehua Ward no. 15, P.S.- Bounsi, Dist.- Araria.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Mukesh Kumar Rana, Advocate
For the State/s	:	Ms. Usha Kumari 1, Spl PP
For the Informant	:	Mr. Rabindra Kumar Priyadarshi, Advocate
		Mr. Dheeraj Kumar, Advocate

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 20.06.2025 passed by the Court of learned 1st Additional Sessions Judge cum Special Judge, Araria in connection with Special (SC/ST) Case No. 44 of 2025 arising out of Araria P.S. Case No. 137 of 2025 Dated 29.03.2025 registered for the offence/s punishable u/ss 105 of the B.N.S. and Sections 3(2)



(V) of SC/ST Act.

3. As per the prosecution case, the informant alleged that when he was sleeping, his neighbour came to his house and started abusing him. The father and the nephew of the informant came to rescue him then they were also assaulted and during assault, his father was dashed on the pillar, due to which he sustained injury on head and later succumbed to the injury.

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 no any motive or intention of the appellant to commit murder of the deceased. There is no any eye witness of the alleged occurrence and even the informant is not an eye witness of the alleged occurrence and there is no any intention during scuffle. The appellant has no criminal antecedent as stated at para 3 of the bail petition. The appellant is in custody in this case since 30.03.2025.

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



20.06.2025 passed by the Court of learned 1st Additional Sessions Judge cum Special Judge, Araria in connection with Special (SC/ST) Case No. 44 of 2025 arising out of Araria P.S. Case No. 137 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 1st Additional Sessions Judge cum Special Judge, Araria in connection with Special (SC/ST) Case No. 44 of 2025 arising out of Araria P.S. Case No. 137 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	
---	--	---	--

