

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2836 of 2025

Arising Out of PS. Case No.-112 Year-2025 Thana- DELHA District- Gaya

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Raushan Rawani @ Raushan Kumar S/o- Late Surendra Rawani Mohalla-
Murli Hill Sako Gali PS- Kotwali Dist- Gaya

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Gopal Paswan S/o- Mishri Paswan Mohalla- Andar Bairagi Ps- Delha Dist-
Gaya

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Vijay Kumar
For the Respondent/s	:	Mr.Sadanand Paswan
For the OP No.2	:	None

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

ORAL ORDER

4 16-10-2025 Heard learned counsel for the appellant and learned

Special Public Prosecutor for the State. Notice has validly been

served but none appeared on behalf of the OP No. 2.

2. This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 against the rejection of prayer for bail vide
order dated 25.06.2025 passed by the learned Exclusive Special
Judge, SC/ST (POA) Act, Gaya in B.P. No. 2066 of 2025 arising
out of Delha P.S. Case No. 112 of 2025 dated 19.05.2025
registered for the offence/s punishable u/ss 126(2), 115(2), 132,
308(2), 109, 76, 352 read with section 3(5) of the BNS, section
27 of the Arms Act and sections 3(2)(v), 3(1)(r), 3(1) (s) of the



SC/ST (POA) Act.

3. As per the prosecution case, the appellant and the co-accused persons along with 4-5 unknown miscreants came where the work of Nal Jal Yojana was going on and they stopped the work and started abusing the labours. When the informant came to know about it, he went there and saw that the accused persons misbehaved with one Sonia Devi and tore her clothes and Chootu Yadav assaulted her with fists. It is further alleged that the other co-accused persons also assaulted Sonu Kumar and the informant and abused the informant by calling his caste name and demanded Rs. One lakh as Rangdari. When the informant tried to call police, in the meantime, Chhotu Yadav fired on the informant with intention to kill and the bullet hit his thigh causing injury to him.

4. Learned counsel for the appellant has submitted that the appellant has falsely been implicated in this case due to ulterior motive. Learned counsel has further submitted that the caste name was not disclosed by anyone at the time of the alleged occurrence. The specific allegation of firing is against the co-accused Chhotu Yadav. The informant sustained bullet injury on the non-vital part of the body. As per FIR, no member of public was present at the relevant point of time of the alleged



incident hence no case is made out under SC/ST Act. The appellant has one criminal antecedent as stated in para 3 of the bail petition. The appellant is in custody since 27.05.2025.

5. Learned Spl. P.P. for the State has vehemently opposed the bail petition of the appellant.

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 25.06.2025 passed by the learned Exclusive Special Judge, SC/ST (POA) Act, Gaya in B.P. No. 2066 of 2025 arising out of Delha P.S. Case No. 112 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 Exclusive Special Judge, SC/ST (POA) Act, Gaya in B.P. No. 2066 of 2025 arising out of Delha P.S. Case No. 112 of 2025.

(Chandra Prakash Singh, J)

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