

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3037 of 2025**

Arising Out of PS. Case No.-53 Year-2025 Thana- DHANGAI District- Gaya

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Bicky Kumar S/o Pradeep Mistry Vill. - Gosai Peshra, PS - Dhangai, Distt.-
Gaya (Bihar) Appellant/s

Versus

1. The State of Bihar
 2. Manju Devi W/o Rajesh Paswan Vill. - Gosai Peshra, PS - Dhangai, Distt.-
Gaya (Bihar) Respondent/s
- =====

Appearance :

For the Appellant/s : Mr. Abhay Kumar Singh, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl PP

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**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 09.07.2025
passed in B.P. No. 2010 of 2025 by the Court of learned Exclusive
Special Judge, SC/ST, Gaya in connection with Dhangai P.S. Case
No. 53 of 2025 Dated 16.05.2025 registered for the offence/s
punishable u/ss 137(2), 96 read with 3(5) of the B.N.S. and
Section 3(1) (s) of the SC/ST (POA) Act.

3. As per the prosecution case, the appellant and other
co-accused persons are alleged to have kidnapped the minor



daughter of the informant with bad intention, when the informant went to the house of the appellant, then the family members of the appellant by calling her caste name started abusing and assaulting the informant and also threatened her to ruin her character and thereafter the informant returned her house and saved her life.

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 the appellant and the daughter of the informant namely, Saloni Kumari was in love for a considerable period of time and they solemnized marriage on 15.05.2025 in Ranchi. The medical report of the victim shows that there is no definite evidence of recent sexual intercourse. The appellant has no concern with the alleged offence. The appellant has no criminal antecedent as stated at para 3 of the bail petition. The appellant is in custody in this case since 17.05.2025.

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 09.07.2025 passed in B.P. No. 2010 of 2025 by the Court of learned Exclusive Special Judge, SC/ST, Gaya in connection with



Dhangai P.S. Case No. 53 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, Gaya in connection with Dhangai P.S. Case No. 53 of 2025.

(Chandra Prakash Singh, J)

Raj Ranjan/-

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