

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3273 of 2025

Arising Out of PS. Case No.-213 Year-2024 Thana- RIVILGANJ District- Saran

Rudal Sah @ Santosh Sah S/o Late Badari Sah R/o Mohalla - Dada Saheb Ka
Majar, Nabiganj, P.S.- Bhagwan Bazar, Distt.- Saran Chapra

... .. Appellant/s

Versus

1. The State of Bihar
2. Anand Mohan S/o Ram Mohan Nat R/o Samsudinpur, P.S.- Rivilganj, Distt.-
saran

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Anuj Kumar, Advocate
For the State	:	Ms. Usha Kumari 1, SPP
For the Informant	:	Mr. Sunil Kumar Yadav, Advocate

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

ORAL ORDER

4 09-10-2025 Heard learned counsel for the appellant, learned Special

Public Prosecutor for the State and learned counsel for the

informant.

2. The instant appeal has been filed by the appellant

against the order dated 15.07.2025 passed by learned Exclusive

Special Judge, SC/ST, Saran at Chapra whereby the prayer for

bail of the appellant in connection with Rivilganj PS Case No.

213 of 2024 instituted under Sections 126(2), 115(2), 109(1) &

140(3) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3(1)

(r)(s) & 3(2)(va) of SC/ST Act was rejected.

3. The prosecution case, in short, is that on

17.07.2024, while the informant was attending a marriage



ceremony, 6-7 unknown persons abducted him in a Scorpio vehicle at gunpoint. They took him to a secluded place, demanded Rs. 20 lakhs ransom from his family, and assaulted him. Later, the informant was rescued by his family with police assistance.

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. There is no delivery of any ransom amount which is apparent from the FIR itself. So far as injury of informant is concerned, the same is found to be simple in nature caused by hard and blunt substance, hence injury report does not corroborate with the allegation levelled in the FIR. 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 30.01.2025 and has sixteen criminal antecedents.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the petitioner.



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 15.07.2025 passed by Exclusive Special Judge, SC/ST, Saran at Chapra is hereby set aside.

7. Let the appellant be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rivilganj PS Case No. 213 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the appellant.

(II) The appellant shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the appellant.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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