

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3199 of 2025**

Arising Out of PS. Case No.-785 Year-2024 Thana- GAYA MUFASIL District- Gaya

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Aman Sahani @ Karu Sahani Binod Sahani @ Binod Kewat Resident Of
Village- Manpur, Malahtoli, P.S.- Muffasil, District- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Sati Devi W/O Mahendra Chaudhary R/O Vill.- Manpur, Malahtoli, P.S.-
Muffasil, District- Gaya

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Krishna Prabhat, Advocate

For the Respondent/s : Mr. Binay Krishna, SPP

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

ORAL ORDER

4 27-11-2025 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 27.05.2025 passed by learned Exclusive Special Judge, SC/ST, Gaya whereby the prayer for bail of the appellant in connection with Mufassil PS Case No. 785 of 2024 instituted under Sections 305(A), 62, 74 & 75 of the Bharatiya Nyaya Sanhita, 2023 and Sections 3(1)(r), 3(1)(s) & 3(1)(w) of SC/ST Act was rejected.

3. Prosecution case, in short, is that on 15.09.2024 around midnight, the appellant entered the informant's house intending to commit dacoity. He allegedly misbehaved with the



daughter-in-law and threatened the informant with a knife. The family caught him upon raising alarm, after which he allegedly abused them with caste-related slurs before being taken to the police station.

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. No incriminating article or evidence was recovered from the appellant or the scene to support allegations of house-trespass or dacoity. In reality, the appellant was in a consensual relationship with the informant's daughter-in-law, and after they were caught, this false case was lodged out of vengeance. 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 16.09.2024 and has no criminal antecedent.

5. Learned Special P.P. for the State has 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



petitioner, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 27.05.2025 passed by learned Exclusive Special Judge, SC/ST, Gaya 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 Mufassil PS Case No. 785 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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