

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3231 of 2025

Arising Out of PS. Case No.-138 Year-2025 Thana- Mufassil District- Purnia

Pradeep Kumar Son of Birbal Das Resident of Village- Chandi kathwa, Ps-
Mufassil,dist- Purnea

... .. Appellant/s

Versus

1. The State of Bihar
2. Munna Uraon son of Late Jharilal Uraon Village- Madhopara (Rauigola),
Ward no. 42, Ps- Muffasil, Dist- Purnea

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ram Prawesh Kumar, Advocate
For the Respondent/s	:	Mrs. Usha Kumari 1, SPP
For the Informant	:	Mr. Dr. Bidhu Ranjan, Advocate

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

ORAL ORDER

3 13-11-2025 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State, learned counsel for the
informant/Respondent No. 2 and perused the case diary.

2. The instant appeal has been filed by the appellant against the order dated 23.07.2025 passed by learned District and Additional Sessions Judge-1-cum-Special Judge, Schedule Caste and Schedule Tribes (PoA) Act, Purnea whereby the prayer for bail of the appellant in connection with Mufassil P.S. Case No. 138 of 2025 under Sections 109, 3(5) of the Bharatiya Nyaya Sanhita, 2023, read with Section 27 of the Arms Act and Section 3(2)(v)(va) of SC/ST Act was rejected.



3. Prosecution case, in short, is that co-accused Bumba shot informant on the leg and chest after snatching informant's pistol and the appellant was apprehended on spot.

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. Learned counsel for the appellant also submits that no specific allegation has been attributed against the appellant. Specific allegation of firing is against co-accused Bumba. It is next submitted that the appellant was a passerby of that way and was apprehended by the police only on the basis of suspicion. 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 08.06.2025 and has got no criminal antecedent.

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

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 learned District and Additional Sessions Judge-1-cum-Special Judge, Schedule Caste and Schedule Tribes (PoA) Act, Purnea is hereby set aside.

7. Let the appellant be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mufassil P.S. Case No. 138 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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