

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3247 of 2025

Arising Out of PS. Case No.-261 Year-2025 Thana- GRIYAK District- Nalanda

Dinesh Raut @ Dinesh Rauat S/O Late Ram Briksh Raut Resident of Tarauni,
P.S.- Katri Sarai, Dist.- Nalanda, Biharsharif

... .. Appellant/s

Versus

1. The State of Bihar
2. Kaushalya Devi W/O Sri Indra Deo Choudhary Resident of Tarauni, P.S.-
Katri Sarai, Dist.- Nalanda, Biharsharif

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Kumar Manglam, Adv.

For the Respondent/s : Mr. Usha Kumari 1, Spl.P.P.

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

ORAL ORDER

4 13-11-2025 Heard learned counsel for the appellant and 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 17.07.2025 passed by the learned Court of 6th Additional Sessions Judge-cum-Special Judge, SC/ST Act, Nalanda (Biharsharif) in connection with Giriya (Katri Sarai) P.S. Case No. 261 of 2025 dated 18.06.2025 registered for the offence/s punishable u/ss 126(2), 115(2), 117(2), 118(1), 109(1), 329(3), 352 read with Section 3(5) of the B.N.S. and Section 3(1)(r)(s) of the SC/ST Act.



3. As per the prosecution case, the informant alleged that on 16.06.2025 at about 7:30 PM, the appellant and the co-accused persons entered the house of the informant and started assaulting and abusing by calling caste name and asked for their money, the informant opposed and said that their money have been returned within one month, on which the appellant and the other accused persons assaulted the informant and her family members with lathi, danda, bricks and stone due to which he got injuries and fell down unconscious. Thereafter, the injured was taken to hospital for treatment.

4. Learned counsel for the appellant has submitted that the appellant has falsely been implicated in this case due to ulterior motive. There is no specific allegation against the appellant rather the allegation of assaulting is general and omnibus in nature. There is no allegation of abusing against the appellant and hence, no offence under the provisions of SC/ST Act is made out against the appellant. The appellant has one criminal antecedent as stated at para 3 of the bail petition. The appellant is in custody since 03.07.2025.

5. Learned Spl.P.P. for the State has vehemently opposed the prayer of bail by submitting that the informant at para-3 and the witnesses at para-7, 8, 25 and 26 of the case diary



have supported the case of the prosecution. As per the injury report of the injured, mentioned in the impugned order dated 17.07.2025, the injuries sustained by the injured are grievous in nature.

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 17.07.2025 passed by the learned Court of 6th Additional Sessions Judge-cum-Special Judge, SC/ST Act, Nalanda (Biharsharif) in connection with Giriyak (Katri Sarai) P.S. Case No. 261 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 Court of 6th Additional Sessions Judge-cum-Special Judge, SC/ST Act, Nalanda (Biharsharif) in connection with Giriyak (Katri Sarai) P.S. Case No. 261 of 2025.

(Chandra Prakash Singh, J)

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