

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3256 of 2025

Arising Out of PS. Case No.-372 Year-2025 Thana- CHHATAUNI District- East Champaran

Mohan Thakur S/O Late Gokhul Thakur R/O Mohalla- Balua Tal, Kalu Lodge, Ward no. 28. P.S. - Nagar Motihari, District- East Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Nirmala Devi W/O Vijay Baitha R/O Mohalla- Chhota Bariyarpur, Opp. of Sugar Mill, P.S.- Chhatauni, Dist.- Motihari

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Raghav Prasad, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, SPP
For the Informant	:	Mr. Vivek Kumar, Advocate
		Ms. Rinki Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

5 27-11-2025 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 09.07.2025 passed by learned Exclusive Special Judge, SC/ST Act, East Champaran, Motihari whereby the prayer for bail of the appellant in connection with Chhatauni PS Case No. 372 of 2025 instituted under Sections 126(2), 115(2), 118(1), 109, 75, 81, 351(2) & 3(5) of SC/ST Act was rejected.

3. The informant alleges that the appellant – a Special



Public Prosecutor – fraudulently took Rs. 9.5 lakh from her and others on the false promise of securing compensation in SC-related cases, later avoiding them and neither returning the money nor pursuing the cases. She further accuses him of exploiting her emotionally and physically, destroying evidence, and, along with his wife and son, assaulting her during and after a mediation meeting, causing injuries for which she required medical treatment.

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. The appellant asserts that the informant is not his clerk, has a history of filing numerous false cases, and has been used by a rival group to fabricate allegations against him due to his strict functioning as Special P.P. under the SC/ST Act. It is further stated that all accusations of money demand, agreement, or assault are entirely false and made only to blackmail and extort the appellant. 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 22.06.2025 and has 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 petitioner. Victim herself in her restatement has supported the prosecution case. Moreover, other prosecution witnesses have also supported the prosecution case.

6. Considering the aforesaid facts and circumstances of the case, nature and gravity of the offence, this Court is not inclined to allow the appeal. Appeal is, accordingly, *dismissed*.

7. However, appellant will be at liberty to renew his prayer for bail if the trial is not concluded within a period of four months from the date of receipt/production of a copy of this order.

(Rudra Prakash Mishra, J)

Raj Kishore/-

U		T	
---	--	---	--

