

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3461 of 2025

Arising Out of PS. Case No.-471 Year-2023 Thana- KARAHGAR District- Rohtas

Dhannu Chaudhary @ Anil Kumar, S/O Late Raj Kumar Chaudhari @ Late
Neur Chaudhary, R/O Village and PO and PS- Kargahar, Dist.- Rohtas

... .. Appellant/s

Versus

1. The State of Bihar
2. Urmila Devi, W/O Dinesh Ram, R/O Village and PO and PS- Kargahar,
Dist.- Rohtas

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Babu Nandan Prasad, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 18-12-2025 Heard learned counsel for the appellant, learned
counsel for the respondent and learned Special Public
Prosecutor for the State.

2. The instant appeal has been filed by the appellant
against the order dated 01.08.2025 passed by learned Special
Court, SC/ST Act, Sasaram, Rohtas whereby the prayer for bail
of the appellant in connection with Kargahar P.S. Case No. 471
of 2023 under Sections 147, 148, 149, 323, 326(A), 342,
354(B), 448, 380, 302, 504 and 506 of the I.P.C and Sections
3(1)(r)(s) / 3(2)(v) of SC/ST Act was rejected.

3. The case of the prosecution, in short, is that the
appellant and other co-accused persons being armed with



weapon came at the door of the respondent and started abusing the respondent, her husband and children by caste name. It is further alleged that accused Jitendra Chaudhary and Pawan Chaudhary were armed with country made pistol started assaulting the respondent and her family members due to which they sustained injuries. It is further alleged that the co-accused Jitendra Chaudhary sprinkled the acid on the face of the respondent's husband due to which his face got burnt. In the last part of the F.I.R., it is alleged that the appellant and co-accused persons took away the box from the house containing Rs. 5,000/-

4. It is submitted by learned counsel for the appellant that appellant is innocent and he has been falsely implicated in this case. As per the F.I.R., no member of the public was present at the relevant point of time of the incident. There is specific allegation against co-accused Jitendra Chaudhary to sprinkle acid. Only allegation against this appellant in last part of the F.I.R. is that he along with others have taken away Rs. 5,000/- from the box. It has also been submitted that similarly situated co-accused, namely, Ram Babu Chaudhary has been granted bail by learned Co-ordinate Bench vide Cr. Appeal (SJ) No. 1796 of 2024. The case this appellant stands on similar footing.



The appellant is having no criminal antecedent and he is languishing in judicial custody since 04.07.2025.

5. The appeal for bail is vehemently opposed by learned Spl. P.P. for the State and learned counsel for the respondent. Learned counsel for the respondent has submitted that this appellant was the member of the mob which has ultimately murdered the husband of the respondent.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 01.08.2025 passed in connection with Kargahar P.S. Case No. 471 of 2023 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Kargahar P.S. Case No. 471 of 2023 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Court, SC/ST Act, Sasaram, Rohtas.

(Ashok Kumar Pandey, J)

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