

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3540 of 2025

Arising Out of PS. Case No.-203 Year-2025 Thana- RAGHOPUR District- Vaishali

Rajan Kumar @ Raja son of Munna Singh Resident of Village - Raghopur
West Jurawanpur, Raghopur Ps- Jurawanpur, Dist- Vaishali

... .. Appellant/s

Versus

1. The State of Bihar
2. Kalwa Devi Wife of Lal Bahadur Das Resident of Village - Rampur
Shyamchand, Ward no. 13, Ps- Raghopur, Dist- Vaishali

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Sunny Kumar, Advocate
For the State	:	Mr. Sadanand Paswan, SPP
For the Informant	:	Ms. Shalini, Advocate
		Mr. Santosh Kumar, Advocate
		Mr. Shubhendu Shekhar, Advocate
		Md. Khalid Quraishi, Advocate

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

ORAL ORDER

3 16-10-2025 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 13.08.2025 passed by learned Exclusive
Special Judge (SC/ST)-cum-District & Additional Sessions
Judge, Vaishali at Hajipur whereby the prayer for bail of the
appellant in connection with Raghopur PS Case No. 203 of
2025 instituted under Sections 140(1) & 3(5) of the Bharatiya
Nyaya Sanhita, 2023 and Section 3(2)(va) of SC/ST Act was



rejected.

3. Prosecution case, in short, is that informant alleged that on 24.07.2025 at about 10 A.M., her husband, Lal Bahadur Das, while resting under a tree near the Block Office, was run over by a white vehicle, and the driver along with two others took him away with intent to kill.

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. Appellant is not named in the FIR. The name of the appellant has transpired on the basis of confessional statement of co-accused, namely, Kiran Devi. Learned counsel for the appellant submits that appellant is not the owner or driver of the vehicle in question. During investigation, no witnesses have supported the allegation against 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 27.07.2025 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 appellant. Confessional statement of one Kiran Devi was recorded wherein it was revealed that it is co-accused, Chandan Kumar who dashed the vehicle.

6. Considering the aforesaid facts and circumstances of the case, there being no specific allegation against the appellant 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 13.08.2025 passed by Exclusive Special Judge (SC/ST)-cum-District & Additional Sessions Judge, Vaishali at Hajipur 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 Raghapur PS Case No. 203 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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