

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3562 of 2025**

Arising Out of PS. Case No.-313 Year-2025 Thana- MUFFASIL District- West Champaran

Rabindra Kumar Singh @ Rabindra Singh S/o Sri Chandrika Singh Resident
of village- Haribatika , P.s.- Bettiah Muffasil, Distt.- West Champaran

... .. Appellant

Versus

1. The State of Bihar
2. Jitan Ram S/o Late Ramdeo Ram R/o vill - Barwat Sena, P.S.- Bettiah
Muffasil, Distt.- West Champaran

... .. Respondents

Appearance :

For the Appellant/s	:	Mr. Sharad Kumar Verma, Advocate
For the Respondent/s	:	Mr. Usha Kumari 1, APP
For the Informant	:	Mr. Ujjwal Kumar Singh, Advocate

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

ORAL ORDER

2 11-09-2025 Heard learned counsel for the appellant and learned
counsel for the respondent no. 2 as well as learned Special
Public Prosecutor for the State.

2. Learned counsel on behalf of respondent no. 2
appears. Hence, no need to issue notice.

3. This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 against the rejection of prayer for bail vide
order dated 19.08.2025 passed by the learned A.D.J. - 1st cum
Special Judge, SC/ST (POA) Act, Bettiah, West Champaran in
B.P. No. 2272 of 2025 arising out of Muffasil P.S. Case No. 313
of 2025 dated 07.06.2025 registered for the offences punishable



under Sections 190, 191(1), 191(2), 126(2), 118, 103(1) of the B.N.S., 2023 and Section 3(1)(r), 3 (1)(s), 3(2) (v) of the SC/ST (POA) Act.

4. As per the prosecution case, on the alleged date of occurrence i.e. on 06.06.2025, at about 11 P.M., when the father of the informant was returning after attending Katha Matkor ceremony from Restaurant and when he reached Bettiah Areraj Main road the informant's father was lying and blood was oozing from his body. On cry of his father when the informant reached at spot he saw 6-7 persons fleeing after causing knife injury to his father, informant disclosed the names of accused persons and said persons after hatching-up criminal conspiracy attacked upon his father and caused injuries with knife, iron road and pipe and during treatment his father died.

5. Learned counsel for the appellant has submitted that the appellant has falsely been implicated in this case due to ulterior motive. Learned counsel has further submitted that the caste name was not disclosed by anyone at the time of the alleged occurrence. As per FIR, no member of public was present at the relevant point of time of the alleged incident hence no case is made out under section SC/ST Act. Learned counsel for the appellant further submits that the appellant was



not named in the FIR, nor any incriminating article has been recovered from the possession of the appellant, the only connection of appellant is that he is the owner of the 'Bagicha restaurant' where 'katha-matkor' was performed. He further submits that in the CCTV footage also, no one was found armed with any kind of weapon and so far the appellant is concerned, he was not in the scene. The appellant has no criminal antecedent as stated in para 3 of the bail petition. The appellant is in custody since 13.06.2025.

6. Learned counsel for the respondent no. 2 as well as learned Spl. P.P. for the State has vehemently opposed the bail petition of the appellant.

7. 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 19.08.2025 passed by the learned A.D.J. - 1st cum Special Judge, SC/ST (POA) Act, Bettiah, West Champaran in connection with Muffasil P.S. Case No. 313 of 2025, is set aside against the appellant. The criminal appeal is allowed.

8. 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 A.D.J. - 1st cum Special Judge, SC/ST (POA) Act, Bettiah, West Champaran in connection with Muffasil P.S. Case No. 313 of 2025 with the condition:-

(i) The appellant is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the appellants are liable to be cancelled.

(Chandra Prakash Singh, J)

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