

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3631 of 2025

Arising Out of PS. Case No.-252 Year-2025 Thana- RANIGANJ District- Araria

Md. Saddam S/O Md. Kayamat Baitha R/O Vill.- Hausa, Ward no. 10, Dhobi Tola, P.S.- Raniganj, Dist.- Arraria.

... .. Appellant/s

Versus

1. The State of Bihar
2. Rangoon Devi W/O Umanand Ram R/O Vill.- Hausa, Ward no. 11, Ram Tola, P.S.- Raniganj, Dist.- Arraria.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Nishant Kumar Sinha, Advocate Mr. Rajdeep Kumar, Advocate
For the Respondent/s	:	Mrs. Usha Kumari 1, SPP
For the Informant	:	None

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 13-11-2025 Heard learned counsel for the appellant, learned Special Public Prosecutor for the State and perused the case diary. Despite valid service of notice, none appears on behalf of opposite party no. 2.

2. The instant appeal has been filed by the appellant against the order dated 04.08.2025 passed by learned First Additional Sessions Judge-cum-Special Judge, Araria whereby the prayer for bail of the appellant in connection with Raniganj P.S. Case No. 252 of 2025 under Sections 87, 96, 137(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023, read with Section 3(1)(r)(s) of SC/ST Act was rejected.



3. Prosecution case, in short, is that the appellant has enticed away informant's daughter.

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. Learned counsel for the appellant also submits that no specific allegation has been attributed against the appellant rather the same is general and omnibus in nature. It is next submitted that the appellant has not kidnapped the victim rather she left her house on her own will. The victim has also not supported the prosecution case in her statement recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023. 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 16.07.2025 and has got no criminal antecedent.

5. Learned Special P.P. for the State has vehemently opposed the prayer for grant of bail to the appellant.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the



appellant, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 04.08.2025 passed by learned First Additional Sessions Judge-cum-Special Judge, Araria is hereby set aside.

7. Let the appellant be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Raniganj P.S. Case No. 252 of 2025.

(Rudra Prakash Mishra, J)

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