

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3629 of 2025

Arising Out of PS. Case No.-33 Year-2025 Thana- HARSIDHI District- East Champaran

Sonu Kumar Son of Laxman Paswan @ Laxman Kumar paswan Resident of
village- Gobindapur Ps -Harsidhi District -East Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Muni Devi Daughter of Late Dukhi Paswan Resident of village- Gobindapur
Ps -Harsidhi District -East Champaran

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Dhananjay Kumar Pandey, 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 15.07.2025 passed by learned Exclusive
Special Judge SC/ST, East Champaran, Motihari whereby the
prayer for bail of the appellant in connection with Harsidhi P.S.
Case No. 33 of 2025 under Section 103, 238, 3(5) of the
Bharatiya Nyaya Sanhita, 2023 and later on Section 3(2)(v) of
SC/ST Act was added, has been rejected.

3. Prosecution case, in short, is that the appellant



along with other co-accused person have committed murder of informant's son.

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 informant is not an eye witness of the said occurrence. Name of the appellant has transpired in this case only on the basis of suspicion. 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 21.01.2025 and has got 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.

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 15.07.2025 passed by learned Exclusive Special Judge SC/ST, East Champaran, Motihari 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 Harsidhi P.S. Case No. 33 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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

