

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3687 of 2025

Arising Out of PS. Case No.-822 Year-2024 Thana- SONEPUR District- Saran

Ravish Kumar S/O Jeetendar Rai R/O Village- Nazarmeera, P.S.- Sonpur,
District- Saran, State- Bihar.

... .. Appellant/s

Versus

1. The State of Bihar
2. Sugiya Devi W/O Chaddreshwar Ram @ Chulhai Ram R/O Village- Pahleza Shahpur Diyara, Post Office and P.S- Sonapur, Distt.- Saran, Mobile No. 7292934518.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Raj Krishna Jha, Advocate
For the State	:	Mr. Sadanand Paswan, APP
For the Informant	:	Mr. Manish Chandra Gandhi, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

5 16-12-2025 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 06.08.2025 passed by learned Exclusive Special Judge, SC/ST Act, Chapra whereby the prayer for bail of the appellant in connection with Sonapur PS Case No. 822 of 2024 under Sections 316(2), 316(4), 316(5), 319(2), 319(4), 126(2), 115(2), 303(2), 352, 351(2), 351(3) & 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 3(1)(r)(s) of SC/ST Act was rejected.



3. The prosecution case, in brief, is that the informant's son sent Rs. 35,000 to her SBI account, which was fraudulently withdrawn by Sumit Kumar Prabhakar, the SBI in-charge, without her consent. When she demanded the defalcated amount, he and others allegedly abused, assaulted, outraged her modesty, threatened her family, and cheated her.

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 in this case during investigation. From perusal of the FIR, it would manifest that specific allegation in the FIR is against co-accused, Sumit Kumar Prabhakar. It is submitted that appellant is merely employee of CSP due to which he has become the scapegoat. 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 24.07.2025 and has one criminal antecedent.

5. Learned Special P.P. for the State and the informant



have vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, there being no material against the appellant 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 06.08.2025 passed by learned Exclusive Special Judge, SC/ST Act, Chapra 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 Sonapur PS Case No. 822 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the appellant.

(II) The appellant shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the appellant.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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