

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3755 of 2025

Arising Out of PS. Case No.-96 Year-2025 Thana- MESKAUR District- Nawada

Vikash Kumar S/O Vijay Yadav R/O Village- Dhobni Bisiyait, P.S- Meskaur,
Distt.- Nawada.

... .. Appellant/s

Versus

1. The State of Bihar
2. Jayanti Devi W/O Late Satyendra Manjhi @ Sabinder Manjhi R/O Village-
Dhobni, P.S- Meskaur, Distt.- Nawada.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Subodh Kumar Barnwal, Advocate
For the State	:	Mr. Binay Krishna, SPP
For the Informant	:	Ms. Kiran Kumari, Advocate

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

ORAL ORDER

3 27-11-2025 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 22.08.2025 passed by learned Exclusive
Special Judge-cum-Special Court, SC/ST (PoA) Act, Nawada
whereby the prayer for bail of the appellant in connection with
Meskaur PS Case No. 96 of 2025 instituted under Sections
103(1) & 3(5) of the Bharatiya Nyaya Sanhita, 2023 and
Sections 3(1)(r)(s) & 3(2)(va) of SC/ST Act was rejected.

3. The informant alleged that on 09.05.2025, the
accused brought her injured husband home at midnight, stating



that he had fallen into a ditch and received treatment at a clinic. The next morning, when he complained of severe head pain, she took him to the PHC where he was declared dead. Believing the explanation to be false, the informant suspects that the accused persons assaulted her husband, causing his death.

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. There is no specific allegation against the appellant even from perusal of the FIR, rather the same is general and omnibus in nature. The deceased has not taken the name of the appellant. Except suspicion, there is no material against the appellant. There is no eye witness to the occurrence. 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 10.05.2025 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 petitioner.



6. Considering the aforesaid facts and circumstances of the case 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 22.08.2025 passed by learned Exclusive Special Judge-cum-Special Court, SC/ST (PoA) Act, Nawada is hereby set aside.

7. Let the appellant be released on bail, *after framing of charge, if not already framed*, 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 Meskaur PS Case No. 96 of 2025, 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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