

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3796 of 2025

Arising Out of PS. Case No.-150 Year-2025 Thana- KHAJAU LI District- Madhubani

Madhav Choubey @ Raghav Choubey @ Raghav Son of Krishna Nand
Chaubey Resident of Village - Sarawe, Tole - Shyampati, P.S.- Khajauli,
District - Madhubani.

... .. Appellant/s

Versus

1. The State of Bihar
2. Rambir Ram Son of Late Ghuran Ram @ Late Ghuran Das Resident of
village - Sarawe, Tole - Shyampati, P.S.- Khajauli, District - Madhubani.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Pushpendra Kumar Singh, Advocate Mrs. Divya Bharti, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 18-12-2025 Heard learned counsel for the appellant and learned
Spl. P.P. for the State.

2. This is an appeal under Section 14-A(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST
Act”) against the refusal of prayer for bail vide order dated
27.08.2025 in G.R. No. 114 of 2025 passed by the learned 1st
Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA)
Act, Madhubani in connection with Khajauli P.S. Case No. 150
of 2025 registered for the offences punishable under Sections
126(2), 115(2), 109, 329(4), 303(2), 352, 351(2) and 3(5) of the
Bharatiya Nyaya Sanhita and under Section 27 of the Arms Act
as well as Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the SC/ST



Act.

3. The case of the prosecution in short is that the complainant was having breakfast at his house at 10:00 A.M. At that time the petitioner along with others arrived at the house of the informant and started abusing with caste name. It is specifically allege that co-accused Krishna Nandan Chouney abused with caste name. It is further alleged that all the accused persons started firing and entered in the house of the complainant and tool away Rs.55,000/- and a golden mangalsutra. When the complainant objected Keshav Kumar Choubey pointed gun on his head and started assaulting the complainant due to which he fell down. After that Kanhaiya Choubey and Raghav Choubey@ Madhav Choubey (appellant) pulled him by wrapping a gamchha around his neck with an intention to kill. It is further alleged that other unknown persons have also assaulted with slaps and fists.

4. Learned counsel for the appellant submits that only allegation against this appellant is that he along with others has wrapped a gamchha around the neck of the complainant and has pulled him. Learned counsel for the appellant has further submitted that there is land dispute between the parties and prior to this case the appellant side has filed a case. It has further been



submitted that the place of occurrence is the house of the complainant, as such, the same is not in public view. It has also been submitted that there is no specific allegation against this petitioner of abusing the complainant with caste name. Learned counsel for the appellant has lastly submitted that the appellant is a man of clean antecedent and is in judicial custody since 28.05.2025.

5. Learned counsel for the complainant is present and has vehemently opposed the bail to the appellant and has submitted that the complainant has received grievous injuries.

6. Learned counsel for the complainant has also shown the injury report and from perusal of that it is clear that the complainant has received grievous injury in finger which is bailable in nature.

7. In view of the submissions made by the learned counsel for the appellant, the order dated 27.08.2025 in G.R. No. 114 of 2025 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Madhubani in connection with Khajauli P.S. Case No. 150 of 2025 is hereby set aside and the appellant above-named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



the learned court of Additional Sessions Judge-I-cum-Special Judge(SC/ST), Madhubani in connection with Khajauli P.S. Case No. 150 of 2025.

8. Accordingly the appeal stands allowed.

(Ashok Kumar Pandey, J)

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