

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3737 of 2025

Arising Out of PS. Case No.-5 Year-2024 Thana- YADUNATHPUR District- Rohtas

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Pradhan Choudhary, S/o- Ramashish Chaoudhary @ Bacccha Choudhary, R/o
Village - Matiyawan, P.S. - Yadunathpur, Dist. - Rohtas at Sasaram.

... .. Appellant/s

Versus

- 1. The State of Bihar
- 2. Prayag Paswan, Son of Late Mukhlal Paswan, R/o Village - Matiyawan, P.S.
- Yadunathpur, Dist. - Rohtas at Sasaram.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Deovind Kumar Singh, Advocate
For the State : Mr.Binay Krishna, Spl. PP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 01-12-2025 Heard learned counsel appearing for the appellant and

learned Special Public Prosecutor appearing for the respondent-

State. Despite valid service of notice, no one appears on behalf

of the informant.

2. This appeal has been filed for setting aside the

order dated 20.08.2025 passed by the Special Court SC/ST Act,

Sasaram, Rohtas in Yadunathpur P.S. Case No. 05/2024,

registered for the offences punishable under Sections 126(2),



115(2), 132, 121(1), 121(2), 352, 351(3), 109, 3(5) of BNS, 2023 and Section 3(1)(r)(s) of SC/ST Act, whereby the prayer for bail of the appellant has been rejected.

3. As per F.I.R., the appellant assaulted the injured with bricks and abused him by caste.

4. Learned counsel for the appellant submits that the appellant is innocent and has committed no offence. F.I.R. has been lodged after a delay of 15 days and there is no explanation for the same. Injuries are simple in nature. Moreover, it is not the case of the informant that alleged incident occurred within the public view as such, no offence under SC/ST Act is made out. Appellant claims clean antecedent and is in custody since 22.07.2025.

5. Learned Special Public Prosecutor for the State vehemently opposes the appeal.

6. Considering the period of custody and the clean antecedent of the appellant, the impugned order dated 20.08.2025 passed by the Special Court SC/ST Act, Sasaram, Rohtas in Yadunathpur P.S. Case No. 05/2024 is, hereby, set aside and this criminal appeal is allowed.

7. Let the appellant, named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned



Special Court SC/ST Act, Sasaram, Rohtas in connection with
Yadunathpur P.S. Case No. 05/2024.

(Prabhat Kumar Singh, J)

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