

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3803 of 2025**

Arising Out of PS. Case No.-105 Year-2025 Thana- ROSERA District- Samastipur

Madhav Roy @ Madhav Kr. Roy Son of Ram Babu Roy Resident of Village-
Haripur ward no 16, P.S -Rosra, Dist- Samastipur

... .. Appellant/s

Versus

1. The State of Bihar
2. Rita Devi Daughter of Late Phuleshwar Paswan Resident Of Village- Dhatta,
Ps- Rosra, Dist- Samastipur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Sadanand Roy, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, SPP
For the Informant	:	Mr. Dharmendra Kumar Singh, Advocate

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

ORAL ORDER

3 13-11-2025 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State, learned counsel for the
informant/Respondent No. 2 and perused the case diary.

2. The instant appeal has been filed by the appellant
against the order dated 28.08.2025 passed by learned Special
Judge, SC/ST Act, Samastipur whereby the prayer for bail of the
appellant in connection with Rosra P.S. Case No. 105 of 2025
under Section 103, 3(5) of the Bharatiya Nyaya Sanhita, 2023,
read with Section 3(2)(v) of SC/ST Act was rejected.

3. Prosecution case, in short, is that informant's
mother died after touching a wire allegedly electrified by the
appellant.



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. The appellant has not committed any offence as alleged in the FIR. It is next submitted that the informant is not an eye witness of the alleged 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 18.07.2025 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 and submits that there is specific allegation against the appellant levelled by the deceased in her dying declaration. It is next submitted that on perusal of post-mortem of the deceased, it appears that cause of death of the deceased has been opined as atrial fibrillation due to high voltage current (electrocution). It is



further submitted that witnesses have supported the prosecution case. Hence, the appellant does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, specific allegation as also nature and gravity of the offence, this Court is not inclined to grant bail to the appellant at this juncture.

7. Accordingly, the appeal stands dismissed. The trial Court is directed to expedite the trial expeditiously. However, if the trial is not concluded within a period of six months from the date of receipt/production, the appellant will have liberty to renew his prayer for bail in the Court below.

(Rudra Prakash Mishra, J)

Rajorshi/-

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

