

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3818 of 2025**

Arising Out of PS. Case No.-267 Year-2025 Thana- JANDAHA District- Vaishali

Magnu Sahani @ Magnu Sahni S/O Bipal Sahani Resident of Village-
Amthama, P.S- Mahishour, District- Vaishali.

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Rani Devi W/O Anand Paswan R/O Village- Amthama, P.S- Mahishour,
Distt.- Vaishali.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Nachiketa Jha, Adv.
For the informant	:	Ms. Deepshikha, Adv.
		Mr. Dharmendra Kumar Paswan, Adv.
		Mr. Amar Kumar, Adv.
		Ms. Mahi Priya, Adv.
For the Respondent/s	:	Mr.Binay Krishna,Spl.PP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 13-11-2025 Heard learned counsel for the appellant, learned
counsel for the informant 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 against the rejection of prayer for bail of
the appellant vide order dated 13.08.2025 passed by the learned
Exclusive Special Judge SC/ST Act (PoA), District & Addl.
Sessions Judge-cum- Vaishali at Hajipur in connection with
Jandaha (Mahisaur) P.S. Case No. 267 of 2025 dated 21.06.2025
registered for the alleged offences punishable under Sections 64,



186(2), 352, 351(2) read with Section 3(5) of the B.N.S. and Sections 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. As per prosecution case, the appellant and the co-accused person are alleged to have abused the informant by calling her caste name and they also tried to commit rape on her.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in this case. It is further submitted that no member of public was present at the relevant point of time of the incident and hence, no offence under provisions of SC/ST Act is made out against the appellant. It is further submitted that the appellant has no concern with the alleged offence. The appellant has no criminal antecedent as stated in para 3 of the bail petition. The appellant is in custody since 22.06.2025.

5. Learned Special Public Prosecutor for the State as well as learned counsel for the respondent no. 2 have vehemently opposed the prayer for bail of the appellant.

6. In view of the aforesaid facts and circumstances of the case as well as finding substance in the contention of the learned counsel for the appellant, the impugned order dated 13.08.2025 passed by the learned Exclusive Special Judge



SC/ST Act (PoA), District & Addl. Sessions Judge-cum-Vaishali at Hajipur in connection with Jandaha (Mahisaur) P.S. Case No. 267 of 2025, is set aside against the appellant. The criminal appeal is allowed.

7. Accordingly, the above named appellant, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge SC/ST Act (PoA), District & Addl. Sessions Judge-cum-Vaishali at Hajipur in connection with Jandaha (Mahisaur) P.S. Case No. 267 of 2025.

(Chandra Prakash Singh, J)

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