

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4714 of 2024

Arising Out of PS. Case No.-18 Year-2024 Thana- Lokha District- Supaul

Ramdeo Choudhary @ Ramdev Choudhari Son of Late Musahru Choudhary
@ Musharu Choudhari Resident of Village- Bela Ward No. 15, P.S. -Laukaha,
District- Supaul

... .. Appellant/s

Versus

- 1. The State of Bihar
- 2. Laleshwar Ram Son of Sitaram Ram Resident of Village- Chhapariya Ward
No. 13, P.S. -Laukaha, District- Supaul

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Kamal Kishore Singh, Advocate Mr. Kumar Aman, Advocate
For the Respondent/s	:	Mrs. Usha Kumari 1, Sp.PP
For the O.P. No. 2	:	Mr. Manish Kumar No. 2, Advocate Mr. Aryan Singh, Advocate Mr. Nand Kishore Roy, Advocate Mr. Gajendra Kumar Singh, Advocate

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

ORAL ORDER

2 20-02-2025 Heard learned counsel for the appellant and learned
counsel for the informant as well as learned Special Public
Prosecutor 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 in short referred to as the
SC/ST Act) against the refusal of prayer of bail *vide* order dated
19.09.2024 passed by the learned Additional Sessions Judge 1st
Cum- Special Judge, SC/ST Act, Supaul in connection with
93/2024 (SC/ST Case No. 46/2024 arising out of Laukaha P.S.



Case No. 18/2024) dated 05.05.2024 registered for the offence/s punishable u/s 304B and 302 read with Section 34 of the Indian Penal Code and Sections 3(1)(r)(s) and 3(2)(v) of the SC/ST Act.

3. As per the prosecution case, the appellant and the co-accused persons are alleged to have tortured the informant's daughter mentally and physically and killed her due to non-fulfillment of demand of Rs. 5 lacs as dowry.

4. Learned counsel for the appellant has submitted that the appellant has falsely been implicated in this case due to ulterior motive. As per FIR, no member of public was present at the relevant point of time of the incident. Learned counsel has further submitted that no particular caste name has been called by the appellant hence no case is made out under SC/ST Act. There is general and omnibus allegation against the appellant who is father-in-law of the deceased. The appellant neither demanded any dowry nor tortured the deceased. The appellant has one criminal antecedent as stated at para 3 of the bail petition. The appellant is in custody since 07.08.2024.

5. Learned counsel learned Spl. P.P. for the State as well as learned counsel for the informant have vehemently opposed the prayer of bail.



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 19.09.2024 passed by the learned Additional Sessions Judge 1st Cum- Special Judge, SC/ST Act, Supaul in connection with 93/2024 (SC/ST Case No. 46/2024 arising out of Laukaha P.S. Case No. 18/2024) 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 Additional Sessions Judge 1st Cum- Special Judge, SC/ST Act, Supaul in connection with 93/2024 (SC/ST Case No. 46/2024 arising out of Laukaha P.S. Case No. 18/2024).

(Chandra Prakash Singh, J)

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