

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5276 of 2024

Arising Out of PS. Case No.-11 Year-2024 Thana- KARJA District- Muzaffarpur

Ranjeet Kumar @ Ranjeet Sahni S/o Late Dashrath Sahni R/o Village
-Pokhraira, P.s-Jaitpur(Saraiya), District -Muzaffarpur

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Renu Devi W/o Late Shiv Mangal Paswan R/o vill - Mansurpur Chamrue,
P.O- Mansurpur Chamrue, P.S. - Karja, Distt.- Muzaffarpur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Pramod Kumar Yadav
For the Respondent/s	:	Mr. Sadanand Paswan
For the Informant	:	Mr. Chandra Mohan

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

ORAL ORDER

5 04-09-2025 Heard learned counsel for the appellant, learned
counsel for the informant and learned Special Public Prosecutor
for the State.

2. This is an appeal under Section 14A(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
23.09.2024 passed by the learned Special Judge, SC/ST Act,
Muzaffarpur in connection with Karja P.S. Case No. 11/2024
dated 10.01.2024 registered for the offence/s punishable u/s 365,
302 and 120B read with Section 34 of the Indian Penal Code
and Sections 3(2)(v) of the SC/ST Act.



3. As per the prosecution case, the informant has alleged that her husband got a call for purchase of the sand who discloses his name as Ramesh Mandal. He went with the vehicle loaded with sand but failed to return.

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. As per paragraph-57 of the case diary, the tower location of both the deceased, Shiv Mangal Paswan and the co-accused Ramesh Mandal was same between 5-6 PM at Majhauri Khetan Khagra. The deceased mobile gets switched off thereafter the mobile of the co-accused Ramesh Mandal moves thereafter alongwith the accused persons mobile to Dighra Maniaari up to Sakra Sujawalpur. The tower location of the co-accused Ramesh Mandal from Maniaari goes to Mahua which is the place from the dead body of Shiv Mangal Paswan was recovered. The co-accused Ramesh Mandal tower location from Mahua moves to Sarai, Vaishali and then to Pokhauri. The appellant has one criminal antecedent as stated at para 3 of the bail petition. The



appellant is in custody since 08.08.2024.

5. Learned Spl. P.P. for the State as well as the learned counsel for the informant have vehemently opposed the prayer of bail by submitting that the appellant was along with the co-accused Ramesh Mandal at the time of alleged occurrence. As per the post-mortem report, the cause of death is due to strangulation. Earlier the bail application of the co-accused was dismissed by the co-ordinate bench of this court vide order dated 24.10.2024 passed in Cr. Appeal (SJ) No. 2561/2024.

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 23.09.2024 passed by the learned Special Judge, SC/ST Act, Muzaffarpur in connection with Karja P.S. Case No. 11/2024 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 Special Judge, SC/ST Act, Muzaffarpur in connection with Karja P.S. Case No. 11/2024, with further condition:-

(i). The appellant is directed to remain physically present before the learned Court below on each and every date,



failing which on two consecutive dates without reasonable
cause, the bail bonds of the appellant are liable to be cancelled.

(Chandra Prakash Singh, J)

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