

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5666 of 2024

Arising Out of PS. Case No.-112 Year-2024 Thana- NARDIGANJ District- Nawada

Ravi Kumar @ Golu S/O Anil Saw R/O/V - Maluka Bigha, P.S. - Hisua, Dist. - Nawada

... .. Appellant/s

Versus

1. The State of Bihar
2. Sanju Devi W/O Rajesh Paswan R/O/V - Maluka Bigha, P.S. - Hisua, Dist. - Nawada

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. N.K.Agrawal, Sr.Adv. Mr. Deepak Kumar, Mr. Kumar Rajdeep
For the Respondent/s	:	Mr.Binay Krishna, Spl.P.P. Mr.Ram Pravesh, Adv.for Resp.no.2

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 18-04-2025 Heard learned counsel for the appellant, learned Special P.P. for of the State and learned counsel appearing on behalf of respondent no. 2.

2. This appeal has been filed against the order dated 23.10.2024 passed by learned Exclusive Special Judge, SC/ST Act, Nawada in connection with Nardiganj P.S. Case No. 112 of 2024, registered under Sections 341, 342, 323, 307, 376, 511/34 of the Indian Penal Code and Sections 3(1)(s), 3(2)(v), 3(1)(2)(i), 3(1)(r) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (for short “SC/ST Act”), whereby the prayer for bail of appellant has been rejected.

3. As per F.I.R., the daughter of informant was found



unconscious on Pandapa road on 24.04.2024, after being unreachable for five hours. Informant suspects that this appellant and others tried to commit gang rape on her daughter and left her on the road.

4. Learned counsel for the appellant submits that appellant is innocent and has committed no offence. F.I.R. has been lodged after a delay of 4 days and there is no plausible explanation of delay. Informant is not eye-witness to the alleged occurrence and only suspicion has been raised against appellant. In the medical report, no sign of rape has been found. It is not the case of informant that this appellant abused her by caste name and as such, no case under the SC/ST Act is made out. The appellant is in custody since 23.09.2024. Appellant has got one criminal antecedent, in which, he is on bail.

5. Learned Spl. Public Prosecutor for the State and learned counsel for informant/respondent no. 2 vehemently opposed the appeal.

6. However, considering the aforesaid facts and circumstances as well as period of custody and clean antecedent, the impugned order dated 23.10.2024 is, hereby, set aside and this criminal appeal is allowed.

7. Let the appellant, as 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 Exclusive Special Judge, SC/ST Act, Nawada in connection with Nardiganj P.S. Case No. 112 of 2024.

(Prabhat Kumar Singh, J)

anay

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

