

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.55 of 2025

Arising Out of PS. Case No.-81 Year-2024 Thana- DHAMDAHA District- Purnia

Sonu Thakur @ Sone Lal Thakur @ Sono Lal Thakur S/o Happu Thakur @
Yogendra Thakur R/o Village- Chandrahi Hajari Tol, P.S- Dhamdaha, District-
Purnea

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Bablu Uraon @ Bablu Rishideo S/o Late Uttim Rishideo R/o vill -
Chandrahi Hajari Tol, ward no. 7, P.S. - Dhamdaha, Distt.- Purnea

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Vivekanand Singh, Adv.
For the Respondent/s	:	Mr. Vijay Shankar Srivastava, Adv. Ms. Ankita, Adv.
For the State	:	Mr.Sadanand Paswan, Spl.PP

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

ORAL ORDER

3 10-04-2025 Heard learned counsel for the appellant, learned
counsel for the respondent no. 2 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 29.10.2024 passed by the learned
Special Judge SC/ST Act, Purnea in connection with Dhamdaha
P.S. Case No. 81 of 2024 dated 25.03.2024 registered for the
alleged offences punishable under Sections 279, 304A of the
Indian Penal Code later on Section 302 read with Section 34 of



the Indian Penal Code, Section 27 of the Arms Act and Sections 3(1)(r)(s) and 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act were added.

3. As per prosecution case, one unknown vehicle dashed the informant's brother, Budhu Uraon and he was taken to the hospital where during the course of treatment, he died.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has surfaced in the case during the course of investigation. There is no specific allegation against the appellant. During the course of investigation, the witnesses in their statements have attributed specific allegation is against the co-accused, Murli Yadav who fired on the informant's brother as a result of which he died. It is further submitted that there is no allegation of abusing against the appellant 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 09.09.2024.

5. Learned Special Public Prosecutor for the State as



well as learned counsel for the respondent no. 2 have 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 29.10.2024 passed by the learned Special Judge SC/ST Act, Purnea in connection with Dhamdaha P.S. Case No. 81 of 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, Purnea in connection with Dhamdaha P.S. Case No. 81 of 2024 with the 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 prosecution will be at liberty to move for cancellation of his bail bond.

(Chandra Prakash Singh, J)

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