

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.238 of 2026

Arising Out of PS. Case No.-266 Year-2023 Thana- ADAPUR District- East Champaran

Ramesh Singh S/O Late Satyanarayan Singh R/O Village- Murtiya, P.S.-
Adapur, District- East Champaran.

... .. Appellant/s

Versus

1. The State of Bihar
2. Sunita Devi W/O Late Baccha Paswan R/O Village- Shyampur, P.S.-
Adapur, District- East Champaran.

... .. Respondent/s

Appearance :

For the Appellant	:	Ms. Rasika, Advocate
For the State	:	Ms. Usha Kumari 1, Spl.PP
For the Informant	:	Ms. Shiwani Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 16-07-2026 Heard learned counsel appearing for the appellant,

learned Special Public Prosecutor for the State and learned

counsel for the informant/Respondent No. 2.

2. This appeal has been filed for setting aside order dated 10.12.2025 passed in a case registered for the offence punishable under Sections 341, 302, 120B, 504 and 506 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for grant of bail to the appellant has been rejected.

3. As per prosecution case, it is alleged that all the F.I.R. named accused persons, including this appellant, used to



threaten the husband of informant and abuse him with caste based slurs due to land dispute and political rivalry. It is further alleged that on 06.09.2023 at about 7 AM, three bike riders came riding on a motorcycle and opened fire due to which, husband of informant sustained fire arm injury and died on the spot.

4. It is submitted by learned counsel appearing on behalf of the appellant that appellant is quite innocent and has committed no offence. Appellant has falsely been implicated in this case due to old enmity. Allegation of firing is general and omnibus against three unknown accused persons who allegedly killed the deceased and no specific accusation of overt act has been levelled against this appellant. Only suspicion has been raised against this appellant due to prior enmity. Moreover, from bare perusal of the F.I.R. it is apparent that there is no allegation against this appellant of abusing informant or her husband by caste name and as such, no case under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is made out against this appellant. It is lastly submitted that charges have already been framed against this appellant and he is in custody since 05.09.2025.



5. Learned Spl. P.P. appearing for the respondent-State and learned counsel for the informant/Respondent No. 2 have vehemently opposed the prayer for grant of bail to the appellant.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation and period of custody, this appeal is allowed and the impugned order dated 10.12.2025 passed by the learned Special Judge, S.C./S.T. Act, East Champaran, Motihari in connection with Adapur P.S. Case No. 266 of 2023 is hereby set aside with respect to this appellant only.

7. Accordingly, let the appellant, 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 Special Judge, S.C./S.T. Act, East Champaran, Motihari in connection with Adapur P.S. Case No. 266 of 2023.

(Prabhat Kumar Singh, J)

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