

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.877 of 2025

Arising Out of PS. Case No.-627 Year-2023 Thana- KAUWAKOL District- Nawada

Sujit Kumar Son of Nagina Yadav Resident of Village- Islam Nagar, P.S. -
Chandradeep, District- Jamui,

... .. Appellant/s

Versus

1. The State of Bihar
2. Nandlal Ravidas Son of Late Dukhi Ravidas Resident of Village - Pali, P.S. -
Kauakol, District - Nawada

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Man Mohan Kumar, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

12 18-04-2026 Despite valid service of notice, no one appears on
behalf of the Respondent No. 2.

2. Heard Mr. Man Mohan Kumar, learned counsel for
the appellant as well as Mr. Binay Krishna learned Spl.P.P. for
the State.

3. This is an appeal under Sections 14(A)(2) against
refusal of the prayer for regular bail by order dated 12.12.2024
passed by the learned Court of Exclusive Special Judge, Special
Court SC/ST (PoA) Act, Nawada in connection with Kauakol
P.S. Case No. 627 of 2023, F.I.R. dated 26.10.2023 registered
under Sections 394, 302 and 34 of the IPC, Sections 25(1-b)a,
26, 35 and 27 of the Arms Act and Sections 3(i)(r)(s)/ 3(2)(v) of



the Scheduled Castes and Scheduled Tribes Act (Prevention of Atrocities) Act.

4. According to the prosecution case, some unknown miscreants intercepted the informant and on the point of gun they looted Rs. 3,50,000/- and his mobile phone and fled away.

5. Learned counsel for the appellant submits that appellant is innocent and he has falsely been implicated in the present case. He further submits that the appellant was made accused in the present case on the basis of suspicion and till date no TIP has been conducted by the prosecution. He further submits that the charge sheet has been submitted against the appellant and altogether 3 witnesses have been examined in the present case namely, Nandlal Ravidas (P.W-1), Tanik Ravidas (P.W-2) and Gorelal Ravidas (P.W-3) and the informant who is P.W-1 in the present case has categorically stated that he has no knowledge that who has fired upon his brother and who has snatched money from his brother and the same statement has been given by the P.W-2 and P.W-3. He further submits that altogether 8 witnesses are in the present trial and out of 8 witnesses only 3 witnesses have been examined. The appellant is in custody since 22.12.2023.

6. Learned Special Public Prosecutor for the State on



the material available on record as well as case diary has vehemently opposed the prayer for bail of the appellant and submits that number of witnesses have supported the case of the prosecution and apart from that the appellant carries two criminal antecedents other than the present one but fairly submits that he is on bail in both the cases.

7. Considering the aforesaid facts and circumstances of the case that the witnesses have not supported the case of the prosecution in their depositions, let the appellant, above named, 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 Court of Exclusive Special Judge, Special Court SC/ST (PoA) Act, Nawada in connection with Kauakol P.S. Case No. 627 of 2023, with other following conditions:-

i. Appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the appellant tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.



iii. And further condition that the court below shall verify the criminal antecedent of the appellant and in case at any stage it is found that the appellant have concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the appellant. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. Accordingly, the impugned order is set aside and this appeal stands allowed.

(Rajesh Kumar Verma, J)

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