

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1802 of 2026

Arising Out of PS. Case No.-48 Year-2023 Thana- DARPA District- East Champaran

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1. Lalan Sah S/O Jokhan Sah Resident of village- Belahiya, P.s.- Darpa, Dist.- East Champaran.
 2. Ramesh Sah @ Suresh Kumar Gupta S/O Achchhelal Sah Resident of village- Belahiya, P.s.- Darpa, Dist.- East Champaran.

... .. Appellant/s

Versus

1. The State of Bihar
2. Ranjit Paswan S/O Ramsakal Paswan Resident of village- Belahiya, P.s.- Darpa, Dist.- East Champaran.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Abhishek Kumar, Advocate
For the Respondent/s : Mr. Sadanand Paswan, SPP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-06-2026 Despite valid service of notice upon Respondent No.2, no one appeared on behalf of Respondent No.2.

2. Heard Mr. Abhishek Kumar, learned counsel for the appellants as well as Mr. Sadanand Paswan, learned S.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 01.04.2026 passed by the learned Court of Special Judge, SC/ST Act, East Champaran at Motihari in connection with Darpa P.S. Case No. 48 of 2023, F.I.R. dated 04.05.2023 registered under Sections 341, 323, 504, 34 of the Indian Penal Code and Sections 3(1) (r)



(s) of the Scheduled Castes and Scheduled Tribes Act.

4. According to the prosecution case, the informant alleged that on 04.05.2023 at 18.10 P.M, the appellants along with other accused persons with common intention came at the land of the informant and assaulted him.

5. Learned counsel for the appellants submits that appellants have clean antecedent and they have falsely been implicated in the present case. He next submits that the appellants were granted anticipatory bail by this Court on 15.07.2025 but due to their absence, their bail bond was cancelled on 18.03.2026 and when they came to know about the occurrence, they surrendered on 01.04.2026.

6. Learned Special Public Prosecutor for the State has vehemently opposed the prayer for bail of the appellants.

7. Considering the facts and circumstances of the case, let the appellants, 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 Special Judge, SC/ST Act, East Champaran at Motihari in connection with Darpa P.S. Case No. 48 of 2023, with other following conditions:-



i. Appellants 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 their absence on two consecutive dates without sufficient reason, thier bail bond shall be cancelled by the Court below.

ii. If the appellants tamper 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 appellants and in case at any stage it is found that the appellants have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the appellants. 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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