

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2009 of 2025**

Arising Out of PS. Case No.-372 Year-2024 Thana- NAWADA MUFFASIL District- Nawada

Rohit Kumar @ Rohil Kumar S/O Rajendra Chauhan @ Rajendra Prasad
Resident of Village- Govindpur Beldari, P.S.- Noorsarai, District- Nalanda

... .. Appellant/s

Versus

1. The State of Bihar
2. Vyas Muni S/O Sanjay Manjhi R/O Village-Dedaur Tola Krishna Nagar
Nadipar Panchayat Bhadokhra, PS-Muffasil, Distt-Nawada

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Kunwar Ajit Singh, Advocate
For the Respondent/s : Mr. Sadanand Paswan, SPP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 15-01-2026 Heard learned counsel for the Appellant and learned
Special Public Prosecutor for the State and perused the case
diary.

2. The instant appeal has been filed by the Appellant
against the order dated 26.11.2024 passed by Exclusive Special
Judge, Spl. Court SC/ST Act, Nawada whereby the prayer for
bail of the Appellant in connection Nawada Muffasil P.S. Case
No. 372 of 2024, under Sections 191(2), 193(3), 190, 109(1),
352, 351(2), 351(3), 326(g), 303(2), 111(3) and 61(2)(a) of the
Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act
and Section 3(1) (f)(g)(r)(s)(w), 3(2)(va), 3(2)(v) of the SC/ST
Act, was rejected.



3. Earlier vide order dated 30.01.2025 passed in Criminal Appeal (SJ) No. 5609 of 2024, regular bail of the Appellant was rejected by this Court considering the nature of gravity of the offence, with direction to the learned court below to expedite the trial and conclude the same expeditiously.

4. In compliance of the order dated 11.08.2025, a report dated 27.08.2025 with regard to the present stage of trial has been received. From perusal of the aforesaid report, it appears that only two witnesses have been examined.

5. Learned counsel for the Appellant submits that the Appellant is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. The name of the Appellant has transpired on the basis of confessional statement of co-accused. Learned counsel for the Appellant further submits that the Appellant has not taken the caste name of the informant in public view. Hence, no offence under the provisions of SC/ST Act is made out against them. The Appellant has no intention to disgrace the image of the informant in public view. Learned counsel for the Appellant further submits that other co-accused has been granted privilege of bail by this Court on 16.09.2025 passed in Criminal Appeal (SJ) No. 1219 of 2025. The Appellant is in custody since



08.10.2024 and has eight criminal antecedents.

6. Learned Special P.P. for the State have vehemently opposed the prayer for grant of bail to the Appellant.

7. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the Appellant, this Court is inclined to allow this appeal.

8. Accordingly, the appeal is allowed and order dated 26.11.2024 passed by Exclusive Special Judge, Spl. Court SC/ST Act, Nawada, in connection with Nawada Muffasil P.S. Case No. 372 of 2024, is hereby set aside.

8. Let the Appellant be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nawada Muffasil P.S. Case No. 372 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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