

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1915 of 2026

Arising Out of PS. Case No.-163 Year-2020 Thana- KALYANPUR District- East Champaran

Ramesh Prasad @ Ratnesh Prasad S/O Late Ajit Lal Sah R/O Village- Pipra
Khem, P.S.- Kalyanpur, District- East Champaran.

... .. Appellant/s

Versus

1. The State of Bihar
2. Upendra Chaudhary S/O Jagdeo Chaudhary R/O Village- Harpur Haridas,
P.S.- Kalyanpur, Distt.- East Champaran.

... .. Respondent/s

Appearance :

For the Appellant	:	Mr. Sheo Jee Mishra, Advocate
For the State	:	Mr. Binay Krishna, Spl.PP
For the Informant	:	Mr. Prem Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-07-2026 Heard learned counsel appearing for the appellant,

learned Special Public Prosecutor appearing for the respondent-

State and learned counsel appearing for the

informant/Respondent No. 2.

2. This appeal has been filed for setting aside order dated 04.05.2026 passed in a case registered for the offence punishable under Sections 147, 148, 149, 323, 324, 325, 326, 307, 302, 504, 506 and 427 of the Indian Penal Code and Section 3(2)(va) 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. Lastly, the prayer for grant of regular bail to the appellant was allowed by a Co-ordinate Bench of this Hon'ble Court vide order dated 23.02.2024 passed in *Cr. Appeal (SJ) No. 470 of 2024* with certain conditions, however, from perusal of the impugned order it is apparent that on two consecutive dates, the appellant neither appeared before the learned trial court nor made any representation and, therefore, his bail bonds were cancelled.

4. It is submitted by learned counsel appearing on behalf of the appellant that appellant is quite innocent and has committed no offence. He further submits that appellant undertakes to co-operate in the trial and be well represented to each date of hearing. Appellant is in custody since 04.05.2026.

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 and period of custody, this appeal is allowed and the impugned order dated 04.05.2026 passed by the learned Exclusive Special Judge, S.C./S.T. Act, East Champaran, Motihari in connection with Trial No. 301 of 2021, C.I.S. No. 151 of 2021 arising out



of Kalyanpur P.S. Case No. 163 of 2020 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 learned Exclusive Special Judge, S.C./S.T. Act, East Champaran, Motihari in connection with Kalyanpur P.S. Case No. 163 of 2020 with the following conditions:-

1. The appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.
2. Appellant shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the learned Trial Court.
3. If the appellant tampers with the evidence of the witness in that case, the prosecution will be at liberty to move for cancellation of bail.
4. In case the appellant repeats offence of similar nature, then his bail bond shall be cancelled by the learned Trial Court.

(Prabhat Kumar Singh, J)

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