

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2177 of 2025

Arising Out of PS. Case No.-37 Year-2024 Thana- SC/ST District- Khagaria

PRITAM KUMAR SON OF HARDEV SHARMA @ HARKHORI
SHARMA RESIDENT OF VILLAGE -SAMASPUR PS- MAHESHKHUNT,
DIST- KHAGARIA

... .. Appellant/s

Versus

- 1 . The State of Bihar
2. BINDU DEVI WIFE OF SIKANDAR RAJAK RESIDENT OF VILLAGE
-SAMASPUR PS- MAHESHKHUNT, DIST- KHAGARIA

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ranjeet Kumar Singh, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. PP
For informant	:	Mr. Bharat Bhushan, Advocate
		Mr. Vidyapati , Advocate
		Mr. Aditya Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 3 08-01-2026 Heard learned counsel for the appellant, learned

Spl. Public Prosecutor appearing on behalf of the State and

learned counsel for the Respondent No. 2.

2. This appeal has been preferred on behalf of the appellant under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act for setting aside the order dated 25.04.2025 registered for the offences punishable under Sections 126(2), 115(2), 74, 352, 351(2) of the Bharatiya Nyaya Sanhita and Section 3(i)(r)(s)(w), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for bail of the appellant has



been rejected.

3 . As per prosecution case , on 28.09.2024 , while daughter of the informant was returning from after tuition class, this appellant abused her by caste name and misbehaved with her and threatened her on the point of pistol.

4. Learned counsel for the appellant submits that appellant is innocent and has committed no offence. There is no specific allegation of overt act against the appellant. There is inordinate delay of five days in lodging the F.I.R. for which there is no plausible explanation . It is not the case of the informant that the alleged incident occurred within the public view, as such no offence under Sections of SC/ST Act is made out against appellant. Appellant claims clean antecedent. Chargesheet has already been submitted. Appellant is in custody since 08.04.2025 .

5 . Learned Spl. Public Prosecutor for the State and learned counsel for the respondent no. 2 oppose the bail application .

6. Considering the aforesaid facts, period of custody and circumstances of the case , let the appellant, as 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 the learned District and Additional Session Judge
Ist-cum- Special Judge (SC / ST) Khagaria in connection with
Khagaria P.S. Case No. 37 of 2024 .

7. Accordingly, the impugned order dated 25.04.2025
is set aside and this criminal appeal is allowed.

(Prabhat Kumar Singh, J)

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