

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2410 of 2025**

Arising Out of PS. Case No.-25 Year-2024 Thana- SC/ST District- Jamui

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Satish Kumar Gautam @ Satish Mahto S/O Kailash Mahto R/O Village-
Amrath, PS- Jamui, Distt- Jamui

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Satya Prakash Parasar, Advocate
For the Respondent/s : Ms. Usha Kumari 1, Spl. PP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 09-01-2026 At the outset, learned counsel for the appellant

seeks permission to make necessary corrections in

paragraph no. 1 of the bail application.

2. Prayer is accorded.

3. Heard learned counsel for the appellant and

learned Special Public Prosecutor for the State.

4. Despite the notice having been validly served,

no one appears on behalf of the Respondent No. 2.

5. This is an appeal under Section 14(A)(2) of the

Scheduled Castes and Scheduled Tribes (Prevention of

Atrocities) Act, 1989 against the rejection of prayer for bail



vide order dated 01.05.2025 passed by the learned Additional Sessions Judge-I-cum-Special Judge, SC/ST Case No. 43 of 2025 in connection with SC/ST Case No. 43 of 2025 arising out of Jamui SC/ST P.S. Case No. 25 of 2024 registered for the offence/s punishable u/ss 126(2), 115(2), 76, 352 and 103(1) of the BNS and section 3(1)(r), 3(1)(s) and 2(2)(va) of the SC/ST (POA) Act.

6. As per the prosecution case, the informant Rinku Devi, has alleged that on 17.11.2024 the appellant came to her house, abused her by taking her caste name, tore her blouse and upon her raising alarm, pulled her down and dragged her on the ground while threatening her with dire consequences. It is further alleged that while leaving the place, the appellant also damaged the newly constructed house.

7. Learned counsel for the appellant submits that the appellant has falsely been implicated in the present case and that no such incident, as alleged, ever occurred. It is further submitted that a perusal of Annexure-A/2, i.e., the post-mortem report of Rinku Devi, would clearly show that no external injury was found on the body of the deceased



and that the opinion of the doctor was initially kept reserved. Learned counsel further submits that from a perusal of the case diary particularly paragraph no. 160, it is evident that the FSL, Bhagalpur, vide report dated 11.11.2025, opined that the cause of death was cardio-respiratory failure due to cardiogenic shock. It is thus contended that the appellant has no connection whatsoever with the death of the informant and admittedly, no injury was found on the body of the deceased. Learned counsel lastly submits that the appellant has clean antecedents and has been in custody since 21.01.2025.

8. Learned Spl. P.P. for the State has vehemently opposed the bail petition of the appellant.

9. Considering the aforesaid submissions and facts of the case, the order passed by the learned Trial Court dated 01.05.2025 passed in the present case is accordingly set aside. Let the appellant above named be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with SC/ST Case No.



43 of 2025 arising out of Jamui SC/ST P.S. Case No. 25 of 2024, subject to the following conditions:

(i) One of the bailors of the petitioner shall be his close relative and the other shall be the local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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.

10. The criminal appeal is allowed.



11. It is made clear that the observation, if any,
made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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