

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2497 of 2025

Arising Out of PS. Case No.-30 Year-2025 Thana- MURLIGANJ District- Madhepura

Nandan Kumar @ Nandan Yadav S/o Sajendra Yadav R/o vill - Khari, ward
no. 11, Tola, Rahta, P.S. - Murliganj, Distt.- Madhepura

... .. Appellant/s

Versus

1. The State of Bihar
2. Bulbul Devi W/o Dharmendra Ram R/o vill - Khari Tola, Rahta, P.S. -
Murliganj, Distt.- Madhepura

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Uday Chand Prasad, Advocate Mr. Manoj Kumar, Advocate Ms. Pooja Prasad, Advocate
For the Respondent/s	:	Mr.Binay Krishna, S.P.P.

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

ORAL ORDER

5 22-01-2026 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State and learned counsel for
the informant/Respondent No. 2 and perused the case diary.

2. The instant appeal has been filed by the appellant
against the order dated 27.05.2025 passed by learned District
and Addl. Sessions Judge-1st-cum-Special Judge, SC/ST Act,
Madhepura, whereby the prayer for bail of the appellant in
connection with B.P. No. 1198 of 2025, arising out of Murliganj
P.S. Case No. 30 of 2025, under Sections 126(2), 352, 351(2),
351(3) 75 of the Bharatiya Nyaya Sanhita, 2023 and Section
3(1)(da), 3(1)(dh) of the SC/ST Act, was rejected.



3. Prosecution case, in short, is that Appellant on false pretext of job established physical relation with the informant, when informant opposed then appellant used caste based slur and blackmailed her.

4. 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. 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 him. The appellant has no intention to disgrace the image of the informant in public view. Learned counsel further submitted that victim is major and a married lady. The appellant denies the allegation of rape on the pretext of providing job. The appellant is in custody since 12.04.2025 and has one criminal antecedent.

5. Learned Special P.P. for the State has vehemently opposed the prayer for grant of bail to the appellant.

6. 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. Accordingly, the appeal is allowed and order dated 27.05.2025



passed by learned District and Addl. Sessions Judge-1st-cum-Special Judge, SC/ST Act, Madhepura, in connection with B.P. No. 1198 of 2025, arising out of Murliganj P.S. Case No. 30 of 2025, is hereby set aside.

7. 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 Murliganj P.S. Case No. 30 of 2025.

(Rudra Prakash Mishra, J)

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