

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2703 of 2025

Arising Out of PS. Case No.-334 Year-2024 Thana- ROHTAS District- Rohtas

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Ramashish Yadav S/o- Biju Yadav @ Bigu Yadav Village- Nagatoli PS-
Rohtas Distt- Rohtas

... .. Appellant/s

Versus

1. The State of Bihar
2. Sujanti Devi W/o- Umesh Paswan Village- Nagatoli PS-Rohtas Distt-
Rohtas

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Deovind Kumar Singh, Advocate
For the Respondent/s : Mrs. Usha Kumari 1, SPP

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

ORAL ORDER

3 15-01-2026 Heard learned counsel for the appellant, 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 16.06.2025 passed by learned District
and Sessions Judge-17th-cum-Special Judge, SC/ST Act,
Sasaram, Rohtas whereby the prayer for bail of the appellant in
connection with Rohtas P.S. Case No. 334 of 2024 under
Sections 103(1), 3(5) of the Bharatiya Nyaya Sanhita, 2023,
read with Sections 3(1)(r), 3(1)(s) and 3(2)(v) of SC/ST Act was
rejected.



3. Prosecution case, in short, is that informant's husband was murdered by an assault with a sharp-edged weapon and bricks on his head. It is further alleged that the accused persons have earlier threatened to kill the victim and also hurled him caste based slurs.

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 also submits that the appellant has been arrested in this case only on the basis of suspicion. The informant is not an eye witness of the said occurrence. It is next submitted that the allegation levelled against the appellant is not specific rather the same is general and omnibus in nature. 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. The appellant is in custody since 03.06.2025 and has got one criminal antecedent in which he is on bail. Similar co-accused has been granted regular bail by this Court vide order dated 13.11.2025 passed in Cr. Appeal (S.J.) No. 2206 of 2025.



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 16.06.2025 passed by learned District and Sessions Judge-17th-cum-Special Judge, SC/ST Act, Sasaram, Rohtas 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 Rohtas P.S. Case No. 334 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the appellant.

(II) The appellant shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the appellant.

(Rudra Prakash Mishra, J)

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