IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2849 of 2026

CNR No. BRHC010749692026

Arising Out of PS. Case No.-142 Year-2026 Thana- Kalibagh District- West Champaran

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Laddu Kumar S/o Prem Mahto R/o vill - Kalibagh Harnath School, Purani Gudri, ward no. 9, P.S.- Kalibagh, Distt.- West Champaran

... ... Appellant/s

Versus

1. The State of Bihar
2. Lalbihari Kumar S/o Suresh Chaudhary R/o vill - Purani Gudri, ward no. 8, P.S.- Kalibagh, Distt.- West Champaran

... ... Respondent/s

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Appearance :
For the Appellant/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP
For the Respondent No.2: Ms. Kiran Kumari, Advocate

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 29-10-2026 Heard learned counsel for the appellant, learned Special Public Prosecutor for the State, 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 29.06.2026 passed by learned special Judge SC/ST, Bettiah, West Champaran whereby the prayer for bail of the appellant in connection with Kalibagh P.S. Case No. 142 of 2026 under Sections 126(2), 115(2), 118(1), 109(1), 303(2), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023, read with Sections 3(i)(r)(s) and 3(2)(v-a) of SC/ST Act was rejected.

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3. Prosecution case, in short, is that on 15.05.2026, following a dispute over a motorcycle, the appellant and other accused persons allegedly assaulted the informant, his cousin and his uncle with knives, iron rods and other weapons, causing injuries to all three. It is further alleged that the appellant assaulted the informant and his cousin with a knife, one co-accused snatched the informant's gold chain, and the accused persons threatened them with dire consequences if a case was instituted.

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 not committed any such offence as alleged against him. It is next submitted that the injuries sustained by the injured are simple 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 17.05.2026 and has got one criminal antecedent.

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5. Learned Special P.P. for the State and the informant have 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 29.06.2026 passed by learned special Judge SC/ST, Bettiah, West Champaran 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 Kalibagh P.S. Case No. 142 of 2026.

(Rudra Prakash Mishra, J)

Rajorshi/-

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