

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3023 of 2025**

Arising Out of PS. Case No.-57 Year-2025 Thana- KATRA District- Muzaffarpur

Raj Kumar Pandey S/O Late Premlal Pandey Resident Of Village- Sanpur
Bakhri, P.s.- Katra, Dist.- Muzaffarpur

... .. Appellant/s

Versus

1. The State Of Bihar Patna
2. Vishwanath Manjhi S/O Bhola Manjhi Resident Of Village- Dargah, P.s.-
Katra, Dist.- Muzaffarpur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Manindra Kishore Singh, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl.P.P.

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER**

4 21-01-2026 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 30.05.2025 passed by learned Special Judge SC/ST (POA) Act, Muzaffarpur whereby the prayer for bail of the appellant in connection with Katra P.S. Case no. 57 of 2025 under Sections 191(2), 191(3), 109, 303, 324(4), 126(2), 115(2), 351(2) and 351(4) of B.N.S. and Sections 3(1) (r), 3(1) (s) of SC/ST (POA) Act was rejected.

3. The case of the prosecution is that when the complainant was returning with his nephew Suraj Kumar for their home, as they reached near Bakhri Gatoli, accused persons, namely, Vijay Sah, Mukund Kumar, Dahsrath Sharma, Khobhari



Sah, Sukul Tiwari, Pawan Singh along with other 25-30 unknown persons stopped the motorcycle of the informant and snatched the key of the said motorcycle and started assaulting them by calling thieves. When the informant said that he is not a thief and his house is in *musahar* tola at Dargah. Thereafter, co-accused Vijay Sah started assaulting and abusing them by calling their caste name and also snatched Rs. 10,000/- in cash from them. Thereafter, the villagers gathered there and both of them were saved and admitted to the hospital for treatment.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. From perusal of the FIR, it is clear that the name of the appellant did not there in the FIR rather his name has sprung in this case during investigation on the basis of suspicion that he is also a co-villager and resident of village where the alleged occurrence took place. The appellant has no concern with the alleged occurrence and he has neither assaulted nor abused the complainant and his nephew. Learned counsel for the appellant has submitted that there is specific allegation against co-accused Vijay Sah of assaulting and calling the complainant with caste name and of snatching Rs. 10,000/-. There is no specific allegation against this appellant. He may only be the member of mob. Similarly situated other co-accused person has already been granted bail by learned co-



ordinate Bench of this Court vide order dated 04.09.2025 passed in Cr. App(SJ) No. 1889 of 2025. A statement has been made in para-3 of this petition that the appellant has got no criminal antecedent. Moreover, he is languishing in judicial custody since 06.05.2025.

5. The appeal for bail is opposed by learned Spl. P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration that there is no any specific overt act against the appellant, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 30.05.2025 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Katra P.S. Case No. 57 of 2025 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, SC/ST (POA) Act, Muzaffarpur.

(Ashok Kumar Pandey, J)

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