

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3207 of 2025

Arising Out of PS. Case No.-11 Year-2024 Thana- KARJA District- Muzaffarpur

Om Prakash Kumar, Son of Teras Sahni, Resident of Village - Pokhraise, PS -
Jaitpur, Dist. - Muzaffarpur, Bihar

... .. Appellant/s

Versus

1. The State of Bihar
2. Renu Devi, W/o Late Shiv Mangal Paswan, Resident of Village - Mansurpur
Chamrui, P.S. - Karja, Dist. - Muzaffarpur, Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Anuj Kumar Shrivastav, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 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 05.05.2025 passed by learned Special Judge, SC/ST (POA) Act, Muzaffarpur whereby the prayer for bail of the appellant in connection with Karja P.S. Case No. 11 of 2024 under Sections 365, 302, 394, 120B and 34 of the Indian Penal Code and Sections 3(2)(v) of SC/ST (Prevention of Atrocities) Act was rejected.

3. The case of the prosecution, in short, is that the respondent has alleged that her husband got a call from mobile no.7870218377 regarding purchase of sand who disclosed his



name as Ramesh Mandal and on his call, the husband of the respondent went with the loaded truck with sand but did not return. His dead body was recovered on the same day.

4. It is submitted by learned counsel for the appellant that appellant is innocent and he has been falsely implicated in this case. His name is not there in the F.I.R. rather his name has surfaced in this case during investigation in the confessional statement of co-accused Subodh Mahto. It has further been submitted by learned counsel for the appellant that save and except the confessional statement of co-accused, there is nothing against the appellant and there is no allegation against him that he has called the deceased or his wife with caste name. It has also been submitted that similarly situated co-accused Ranjeet Kumar has been granted bail by learned Co-ordinate Bench vide Cr. Appeal(SJ) No. 5276 of 2024. The case of this appellant stands on similar footing. The appellant is having no criminal antecedent and he is languishing in judicial custody since 17.01.2025.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is



inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated dated 05.05.2025 passed in connection with Karja P.S. Case No. 11 of 2024 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Karja P.S. Case No. 11 of 2024 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 learned Special Judge, SC/ST (POA) Act, Muzzaffarpur.

(Ashok Kumar Pandey, J)

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