

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3407 of 2025

Arising Out of PS. Case No.-115 Year-2019 Thana- BIKRAM District- Patna

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Raushan Kumar @ Prafull Kumar S/o- Late Saroj Kumar @ Saroj Singh
Village- Naghar Ps- Bikram Dist- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Rekha Devi W/o- Jitendra Paswan Village- Mojakka Ps- Bikram Dist- Patna

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Lovekush Kumar, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 18-04-2026 Despite valid service of notice, no one appears on behalf of the Respondent No. 2.

2. Heard Mr. Lovekush Kumar, learned counsel for the appellant as well as Mr. Sadanand Paswan, learned Spl.P.P. for the State.

3. This is an appeal under Sections 14(A)(2) against refusal of the prayer for regular bail by order dated 09.07.2025 passed by the learned Court of Exclusive Special Judge SC/ST Act Civil Court (Sadar), Patna in connection with Special Case No. 165 of 2019 arising out of Bikram P.S. Case no. 115 of 2019, FIR dated 12.04.2019 registered under sections 147, 148, 149, 341, 323, 354(a)(b), 307, 302 and 365 of the ipc and sections 3(i)(r)(s)(w)(i) and 3(2)(VA) of the scheduled castes



and scheduled tribes act (prevention of atrocities) act.

4. According to the prosecution case, all the accused persons including this appellant over a petty dispute brutally assaulted the informant and her husband and her husband died during the course of treatment.

5. Learned counsel for the appellant submits that appellant is innocent and he has falsely been implicated in the present case. Although the appellant is named in the FIR but from perusal of the FIR it appears that there is no specific allegation against the appellant rather the specific allegation is against the co-accused, Jangali Singh and the said Jangali Singh has been granted regular bail by a Co-ordinate Bench of this Court vide order dated 20.11.2019 passed in Cr. App. (SJ) No. 4119 of 2019 and another co-accused, namely, Lalu Kumar has been granted regular bail by a Co-ordinate Bench of this Court vide order dated 24.02.2020 passed in Cr. App. (SJ) No. 811 of 2020. The police have submitted charge sheet against the appellant and the appellant is in custody since 26.06.2025.

6. Learned Special Public Prosecutor for the State has vehemently opposed the prayer for bail of the appellant on the ground that the appellant carries three criminal antecedents other than the present one but fairly submits that he is on bail in



all the said cases.

7. Considering the aforesaid facts and circumstances of the case that there is no specific allegation against the appellant rather the same is against Jangali Singh who has been granted regular bail by a Co-ordinate Bench of this Court, let the appellant, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Special Judge SC/ST Act Civil Court (Sadar), Patna in connection with Special Case No. 165 of 2019 arising out of Bikram P.S. Case no. 115 of 2019, with other following conditions:-

i. Appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the appellant tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the appellant and in case at



any stage it is found that the appellant have concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the appellant. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. Accordingly, the impugned order is set aside and this appeal stands allowed.

(Rajesh Kumar Verma, J)

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