

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3571 of 2025**

Arising Out of PS. Case No.-195 Year-2025 Thana- CHANDI District- Nalanda

Chanchala Devi W/O Sanjay Prasad Resident of Village- Sairapar, P.S-
Chandi, District- Nalanda (Bihar).

... .. Appellant/s

Versus

1. The State of Bihar
2. Mithilesh Chaudhary (Died) (Vide Hon'ble Court order dated 27-11-2025)
S/O Bhola Chaudhary R/O Village- Sairapar, P.S- Chandi, Distt.- Nalanda
(Bihar).
3. Amarjeet Kumar S/O Late Mithilesh Chaudhary R/O Village- Sairapar, P.S-
Chandi, Distt.- Nalanda (Bihar).

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Shashank Chouhan, Advocate
For the State	:	Mr. Sadanand Paswan, SPP
For the Informant	:	Mr. Ram Sumiran Rai, Advocate

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

ORAL ORDER

6 12-02-2026 Heard learned counsel for the appellant, learned Special

Public Prosecutor for the State and learned counsel for the

informant. Perused the case diary.

2. The instant appeal has been filed by the appellant

against the order dated 19.07.2025 passed by learned Additional

Sessions Judge-VI-cum-Special Judge, SC/ST (PoA) Act,

Biharsharif, Nalanda whereby the prayer for bail of the

appellant in connection with Chandi PS Case No. 195 of 2025

instituted under Sections 126(2), 115(2), 103(1) & 3(5) of the

Bharatiya Nyaya Sanhita, 2023 and Sections 3(i)(r)(s) & 3(2)(v)



of SC/ST Act was rejected.

3. The prosecution case, in brief, is that on 16.04.2025 at about 2:00 P.M., the informant alleged that the accused persons assaulted him near his house with danda and brick pieces with intent to kill. It is alleged that during the assault informant sustained injuries on his left leg and neck.

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 submits that from perusal of the FIR, it would manifest that there is no specific allegation against the appellant, rather the same is general and omnibus in nature. It is next submitted that there is case and counter case between the parties. 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 21.06.2025 and has no criminal antecedent.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the



petitioner. It is submitted that injured later succumbed to injuries.

6. Considering the aforesaid facts and circumstances of the case, there being no specific allegation against the appellant 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 19.07.2025 passed by Additional Sessions Judge-VI-cum-Special Judge, SC/ST (PoA) Act, Bihar Sharif, Nalanda is hereby set aside.

7. Let the appellant be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chandi PS Case No. 195 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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