

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3663 of 2025**

Arising Out of PS. Case No.-143 Year-2025 Thana- EKMA District- Saran

Prem Prakash Prasad @ Prem Prakash S/O Ganesh Prasad R/o Vill.-
Parasgarh Bazar, P.S.- Ekma, Dist.- Saran

... .. Appellant/s

Versus

1. The State of Bihar
2. Neetu Devi W/O Kameshwar Ram R/o Vill.- Rampur Bandlail, P.S.- Ekma,
Dist.- Saran

... .. Respondent/s

Appearance :

For the Appellant/s : Ms. Eashita Raj, Advocate
For the State : Mr. Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 19-03-2026 Heard learned counsel for the appellant and learned
Spl. P.P. for the State.

2. This is an appeal under Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act, 1989
(hereinafter referred to as the “SC/ST Act”) against the refusal
of prayer for bail vide order dated 24.07.2025 passed by the
learned SC/ST Exclusive Special Judge, Saran at Chapra in
connection with Ekma P.S. Case No. 143 of 2025 registered for
the offences punishable under Sections 316(2), 316(5) & 318(4)
of the Bharatiya Nyaya Sanhita and under Sections 3(1)(r)(s)(w)
and 3(2)(va) of the SC/ST Act.

3. The case of the complainant in short is that the



complainant is having an account in Central Bank of India bearing account no. 3986032326. A CSP center was running at the house of one Satish Prasad. Further allegation is that the complainant has deposited altogether Rs.2,10,000/- and she has alleged that the appellant along with others in each collusion have withdrawn the same from the Bank and it is further alleged that when the complainant went to demand the cash which she has deposited, she was being abused by caste name and was ousted from the bank.

4. Learned counsel for the appellant submits that the allegation that the complainant had deposited the sum with CSP, Rampur is only oral and from perusal of the entire diary there is no evidence to connect the appellant that the withdrawal of the sum. Entire investigation is depended upon the statement of the witnesses. It has further been submitted that as per the case of the complainant the amount has been withdrawn from her account and if any amount has been withdrawn from account, it generated evidence, that evidence is lacking in this case. It has further been submitted that as far as allegation of abusing the complainant with caste name is concerned, the same is general and omnibus. Learned counsel for the appellant has further submitted that the appellant is having no criminal antecedent



and he is in judicial custody since 26.06.2025.

5. Learned counsel for the complainant is present and has vehemently opposed the bail to the appellant.

6. In view of the submissions made by the learned counsel for the appellant, the order dated 24.07.2025 passed by the learned SC/ST Exclusive Special Judge, Saran at Chapra in connection with Ekma P.S. Case No. 143 of 2025 is hereby set aside and the appellant above-named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court of learned SC/ST Exclusive Special Judge, Saran at Chhapra in connection with Ekma P.S. Case No. 143 of 2025.

7. Accordingly the appeal stands allowed.

(Ashok Kumar Pandey, J)

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